

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA**

O.A. No. 690/2005

Date of Order : 02/06/2006

C O R A M

HON'BLE MR. JUSTICE P.K. SINHA, VICE-CHAIRMAN

Amar Nath Ray, Applicant.

-By Advocate Shri S.K. Bariar.

-Versus-

Union of India & Ors. Respondents.

-By Advocate : Shri N.K. Sinha

O R D E R [O R A L]

Justice P.K. Sinha, VC:- Heard both sides.

2. This is an application filed by the applicant for appointment on compassionate ground, the applicant's father having died in harness on 13.7.77. The applicant had earlier come before this Tribunal with the same prayer, in OA No. 597/2000 which was disposed of by order dated 4.12.2002 in which, after taking ⁱⁿ various aspects of the matter, the application was allowed and the respondents were directed to consider the prayer of the applicant and to issue necessary orders regarding his appointment on compassionate grounds as per law. The speaking order




pursuant thereto was recorded by the competent authority on 26.3.2004 vice Annexure- A/6 by which the prayer was rejected mainly on the ground that after death of the father of the applicant, his uncle Ram Prasidh Ray was granted compassionate appointment and he ^{had} joined on 12.2.82. That speaking order has been impugned in this OA.

3. It may also be mentioned that the admitted position is that against the order of this Tribunal in the aforesaid OA No. 597/2000, the official respondents had moved the High Court of Judicature at Patna with CWJC No. 4706 of 2003. The Hon'ble High Court, after dealing with the cases of the respective parties, set aside the order of this Tribunal. That order stands as at present.

4. When the order recorded by this Tribunal, aforesaid, granting relief to the applicant, has been set aside by the Hon'ble Patna High Court for the reasons mentioned in the order, I do not think that in this application any relief now can be granted to the applicant.

5. In that view of the matter, the application is dismissed.


[P.K. SINHA]
VICE-CHAIRMAN

srk.