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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY-1
CAMP: NAGPUR

CA No. 1367/92

1. Shri Laxman Bhagwant Karkade
2. Sanjay Laxman Karkade
both residing at 6, Bapu Colony
Kanamwas Nagar; Amravati ..Applicants

V/s.

Union of India through
Director General(Pen)
Department of Posts
Min. of Communications
Dak Bhavan, Sansad Marg
New Delhi & 2 ors.

..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.

APPEARANCE:

Mr. V B Phadnis
Counsel
for applicant

Mr. R S Sundaram
counsel
for respondents

ORAL JUDGMENT:
(PER: M S Deshpande, Vice Chairman)

Dated: 23.7.93

The applicant sought compassionate appointment with the respondents on the ground that his father, the applicant no.1, who was the respondent's employee had to take premature retirement on medical grounds. The applicant no.2 claims to be an adopted son of the applicant no.1. When the last representation was made to the respondents for appointment of applicant no.2 on compassionate grounds he was informed by Annexure 5 that the request would not be considered because the adoption was not valid. A copy of the registered adoption deed dated 7.2.85 was produced. The applicant no. 2 is the son of the applicant no.1's brother and an affidavit has been filed to show that there was a change of name pursuant to the adoption. In these circumstances there is *prima facie* proof of adoption of applicant

no. 2 by the applicant no.1 and the respondents cannot refuse compassionate appointment of applicant no.2 on the ground that valid adoption has not been established.

On merits I find that the order passed by the respondents cannot be sustained. The order at annexure 5 is quashed and the respondents are directed to give a suitable employment to the applicant no.2 on compassionate grounds within three months.

With the above directions the application is disposed of finally.

(M.S.Deshpande)
Vice Chairman