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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

OA No.1081/93.

21/ 8-3-94

K.Babu

....Applicant

Vs.

1. E-in-C's Branch (EISU),
Army Head Quarters,
DHQ P.O., New Delhi-11.
2. Garrison Engineer (North),
M.E.S., Sec'bad.
3. Chief Engineer (P) Factory,
Sardar Patel Rd,
Sec'bad-3.
4. The Govt., of India,
rep. by its
Secretary to Ministry of Defence,
West Block IV, R.K.Puram,
New Delhi-110066.

....Respondents

Counsel for the Applicant : Shri V.Ajay Kumar

Counsel for the Respondents : Shri N.V.Ramana, Addl.CGSC

CORAM:

THE HON'BLE SHRI T.CHANDRASEKHAR REDDY : MEMBER (J)

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....2.

ORDER

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¶ As per Hon'ble Shri T.Chandrasekhara Reddy, Member(Judl.) ¶

This is an application filed under section 19 of the Administrative Tribunals Act to direct the respondents to appoint the applicant in any supernumerary post on compassionate grounds and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

2. One K.Krishna while working as Chowkidar in Military Engineering Service died on 23.7.1988. The applicant herein is the son of said K. Krishna. The applicant belongs to SC Community. He has studied ~~at~~ ^{upto} 8th Class. The applicant had put in representation/representations to the competent authorities to appoint him in any suitable post on compassionate grounds. As the representation/^s of the applicant had not been considered by the respondents, the applicant has approached this Tribunal for the relief as indicated above.

3. Counter is filed by the respondents.

4. We have heard Mr. V. Ajay Kumar counsel for the applicant and Mr.N.V. Ramana standing counsel for the respondents.

5. In para 3 of the counter the respondents have clarified that the respondents vide letter 24.11.1991

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had made a statement of cases for relaxation of educational qualifications for compassionate appointments in MES for all the 17 individuals from whom applications were received for appointment in terms of OM dt. 30.6.87 and that sanction of the Ministry / Head of the Department is awaited. The respondents have stated that the applicant is at serial No. 7 in the said statement of cases. Annexure 1 dt. 15.12.90 is the reply sent from the Head Quarters, Chief Engineer (P) Factory to the mother of the applicant herein, in reply to her representation dt. 30.11.90 addressed to E-in-C Br AHO. In the said reply also, it is made clear that all the cases for employment assistance to the dependants of deceased Govt. servants have been considered by a Board of Officers during this year 1990 and priority numbers fixed based on the indigent circumstances of each family, and that the case of the applicant herein had also been considered along with other cases for employment assistance.

6. So from Annexure 1 and from the counter respondents it is quite evident that the case of the applicant for compassionate appointment has been considered and in the waiting list for compassionate appointments that the applicant is also assigned serial No. 7 and as the applicant does not possess the required educational qualifications for appointment ^{to be} post of Mazdoor,

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that the respondents had also taken steps, with the competent authorities to have relaxation with regard to the educational qualification of the applicant. So in view of the pleas of the respondents and after hearing both the sides, the DA is disposed of with the following directions. The respondents are hereby directed to appoint the applicant in his turn and when vacancy arises in the compassionate quota, as per the waiting list that had been prepared by the respondents with regard to the applicant and others to whom compassionate appointments are to be provided. The respondents shall appoint the applicant on compassionate grounds if required in relaxation of his educational qualifications. Parties shall bear their own costs.

T. Chandrasekhara Reddy
(T. CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

Dated : The 8th March 1994.
(Dictated in Open Court)

Deputy Registrar(J)CC.

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To

1. The E-in-C's Branch (EISU)
Army Head Quarters, DHQ P.O. New Delhi-11.
2. The Garrison Engineer (North), M.E.S., Secunderabad.
3. The Chief Engineer (P) Factory,
Parade Grounds, MES, Sardar Patel Road, Secunderabad-3.
4. The Secretary to Ministry of Defence, Govt. of India,
West Block IV, R.K. Purma, New Delhi-66.
5. One copy to Mr. V. Ajay Kumar, Advocate, 5-9-22/14
Adarshnagar, Hyd.
6. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
7. One copy to Library, CAT. Hyd.
8. One spare copy.

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4/15/94

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. F. RAMCARAN : MEMBER
(ADMN)

Dated: 8-3-1994.

~~ORDER~~/JUDGMENT:

M.A./R.A/C.A. No.

in

O.A.No.

1081/93

T.A.No.

(W.F.No.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with order.

Dismissed.

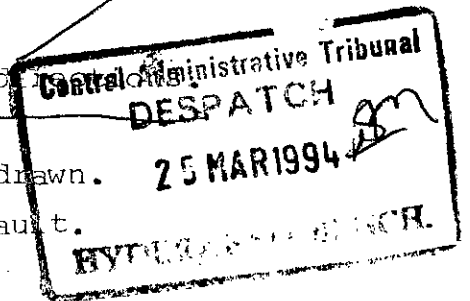
Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

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[Handwritten signature and date 3.15.94]