

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

ORIGINAL APPLICATION NO.931/99

DATE OF ORDER : 2.8.1999.

Between :-

Y.Shivakumar

... Applicant

And

1. The Commissioner of Central Excise,  
Central Excise Headquarters,  
Basheerbagh, Hyderabad-29.
2. The Dy.Commissioner (P&V),  
Central Excise Headquarters,  
Basheerbagh, Hyderabad - 29.
3. The Asst.Commissioner of Central  
Excise, Warangal Division, Warangal.

... Respondents

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Counsel for the Applicant : Shri N.R.Devaraj,

Counsel for the Respondents : Shri B.N.Sarma, Sr.CGSC

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CORAM:

THE HON'BLE JUSTICE SHRI D.H.NASIR : VICE-CHAIRMAN

(Order per Hon'ble Shri Justice D.H.Nasir, Vice-Chairman).

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... 2.

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(Order per Hon'ble Justice Shri D.H.Nasir, Vice-Chairman).

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In this O.A. the Respondents are sought to be directed to provide the applicant a job of Lower Division Clerk on compassionate grounds.

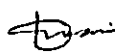
2. It appears that the father of the applicant late Sri Y. Mallaiah worked in the Respondents Department as Hawaldar who was examined in the MGM Hospital, Warangal on 19.4.1993 and was found to be unfit for further service and accordingly an invalidation certificate was issued to him. Basing on the said certificate declaring that Sri Y.Mallaiah was incapacitated for further service, he was retired from service with effect from 18.4.1993 and <sup>AD</sup> pension was sanctioned to him. After retiring, the applicant's father submitted a petition on 19.5.1993 seeking employment for his son i.e. the applicant herein on compassionate grounds stating that his son is a qualified S.S.C. and also is physically fit for <sup>AD</sup> the appointment as L.D.C. and may be considered favourably for such appointment. Having regard to the fact that the applicant's family was passing through <sup>i</sup>indigent circumstances, in a similar situation with which the Division Bench of this Tribunal was <sup>concerned</sup> ~~confronted~~ in <sup>which was</sup> ~~AD~~ OA 943/99 disposed of on 28.6.99 with a direction that if the case of the applicant was adjudged ~~as~~ fit for compassionate ground appointment, his name shall be registered in the compassionate appointment's list and his case shall be considered for appointment. The learned Standing Counsel Sri B.N.Sarma <sup>AD</sup> does not objected to a similar order being passed in the present

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O.A.

3. Hence this O.A. is disposed of with a direction that if the case of the applicant is adjudged fit for compassionate ground appointment, his name shall be registered in <sup>the</sup> list of compassionate appointments and his case shall be considered in accordance with the law as LDC/Sepoy in view of the fact that the applicant is duly qualified even for the LDC post. The Respondents are further directed to communicate to the applicant that his case is registered for compassionate appointment and the serial number in which his name has been registered shall be intimated within a period of one month from the date of receipt of a copy of this order.

4. The Original Application is disposed of accordingly.  
No order as to costs.

  
(D.H.NASIR)  
Vice-Chairman

Dated: 2nd August, 1999.  
Dictated in Open Court.

  
RSH

avl/

COPY TO:-

1. HDHND ✓
2. HRRN M (A) ✓
3. HBSP M (J) ✓
4. D.R. (A) ✓
5. SPARE ✓
6. ADVOCATE
7. STANDING COUNSEL

1st AND II nd COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD:

THE HON'BLE MR. JUSTICE D.H. NASIR

VICE - CHAIRMAN

THE HON'BLE MR. R. BANGARAJAN:

MEMBER ( ADMN )

THE HON'BLE MR. B.S. JAI PARAMESHWAR

MEMBER ( JUDL )

\*\*\*\*

ORDER DATE: 2.8.99

MA/BA/CP.NO

IN

CA.NO. 931199

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

D.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

J. C. P. H.

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
प्रेषण / DESPATCH

13 AUG 1999

हैदराबाद बेंच  
HYDERABAD BENCH