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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH  
JAIPUR.

O.A.NO. 218/93 : Date of order : 13.5.1993  
Pramod Kumar : Applicant  
Mr. Surendra Singh : Counsel for the applicant.  
VERSUS  
U.O.I. & Ors. : Respondents.

CORAM:

PER HON'BLE MR. GOPAL KRISHNA, JUDL. MEMBER

In this application under section 19 of the Administrative Tribunals Act, 1985, applicant Pramod Kumar Chauhan has prayed for grant of appointment on compassionate basis to any group 'C' post.

2. I have heard the learned counsel for the applicant and perused the record.

3. The applicant's case is that his father Shri Karan Singh Chauhan, was working as a Telephone Operator in the Telephone Exchange, Kama, District Bharatpur, and he had expired on 25th February, 1966 while in service leaving behind his widow Shrimati Lajwanti Devi, four sons and two daughters. The applicant's three brothers namely Shri Ashok Kumar Chauhan, Mukesh Kumar Chauhan and Shri Rakesh Kumar Chauhan have been living separately since long and they did not support the applicant or his mother. It is alleged that the applicant's mother incurred heavy expenditure on the marriages of her daughters and in the circumstances the applicant has claimed appointment on compassionate considerations as he is a graduate with a diploma in Welder Trade from I.T.I., Jaipur. It is not possible to believe that all these three brothers already in service did not support the family at all. It is also not possible to believe that these three brothers had been

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living separately from their parents, as there is no averment as to when in point of time these three brothers had separated from the family of the deceased Govt. Servant. The applicant's mother had been receiving a pension of Rs.443/= p.m. <sup>and</sup> she died on 21.2.1992. The deceased Govt. Servant had expired on 25.2.1966. There are no averments to the effect that the family had passed through difficult times after the death of the father of the applicant and that the family is still in distress and it needs immediate assistance. An appointment on compassionate grounds can be made in exceptional circumstances when the department is satisfied that the condition of family is indigent. To give a compassionate appointment in the present case was the discretion of the respondents, and if they have refused it on a consideration of all the facts and circumstances as evident from Annexure.A.1 dated 7.8.1992, this Tribunal would not be justified in imposing it upon them.

4. I find no merits in this petition and the same is dismissed at the admission stage.

C.Krishna 13-5-93.  
(GOPAL KRISHNA)  
Judl. Member

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Anil