

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH
JAIPUR.

O.A.No. 534/1994

Date of order: 11.10.95

Ashok Kumar Jain : Applicant

Versus

The Union of India & Ors : Respondents

Mr. Prahlad Singh, Counsel for the applicant
Mr. J.D. Sharma, Counsel for the respondents

CORAM:

HON'BLE MR. RATTAN PRAKASH, MEMBER (JUDICIAL)

O R D E R

(PER HON'BLE MR. RATTAN PRAKASH, MEMBER (JUDICIAL))

Shri Ashok Kumar Jain has filed this application under Section 19 of the Administrative Tribunal's Act, 1985 to quash the impugned communication dated 14th September, 1994 (Annexure A-1) rejecting his request for appointment on compassionate grounds on the post of Auditor in the respondent department of Accountant General (Accounts & Entitlement) Government of India in the place of his father who died in service harness while in Government/with all consequential benefits.

2. Facts leading to this application are that the applicant's father late Shri Tej Singh Dagaliya died on 6th March 1970 while he was serving as Auditor and posted in the office of Accountant General, Jaipur. At the time of demise of his

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father the applicant was minor and was only 11 months old. His date of birth is alleged to be 6th April 1969. It is the case of the applicant that now he possesses the qualification of M.A. (Sociology) which he did in the year 1992 from the University of Rajasthan, Jaipur. It is further claimed by the applicant that applicant's family now consists only of his mother and himself and there is no other source of livelihood except the family pension which the applicant's mother is getting which is around Rs.600/- per month and the applicant is an indigent person and is living in poverty. It is further averred by the applicant that with a view to secure employment with the respondent department, he made an application to the respondent No.2 in May 1991 in the prescribed proforma and requested the respondent No.2 i.e. the Accountant General (Accounts & Entitlement), Government of India, Jaipur to give him employment on compassionate grounds. Since his efforts to secure employment failed inspite of repeated representations made to the respondents, he filed an earlier OA No.401/93 titled as Ashok Kumar Jain Vs. Union of India and another, which was decided by the Tribunal by its order dated 20.5.1994 (Annexure A-10) directing the respondents to re-consider the applicant's case for grant of appointment on the ground of compassion to a suitable post as per rules,