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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 26.11.98

OA 97/98

Narendra Singh Naruka s/o Shri Narpat Singh Naruka r/o Village Thana Post Thana, Rajgarh, District Alwar.

... Applicant

Versus

1. Union of India through Secretary, Department of Atomic Energy, Anushakti Bhawan, CSM Marg, Mumbai.
2. Regional Director, Atomic Mineral Division, North West Division, Department of Atomic Energy, Uniyara Marg, Jawahar Lal Nehru Marg, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.P.P.Mathur

For the Respondents

... Mr.Javed Choudhary

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Narendra Singh Naruka, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking a direction to the respondents to consider his case for appointment on compassionate basis to the post of Lower Division Clerk or any other post.

2. Heard the learned counsel for the parties. Records of the case have been carefully perused.

3. Applicant's case is that his father, Shri Narpat Singh Naruka, who was posted under respondent No.2 at Jaipur as Lower Division Clerk, unfortunately died in a road accident on 14.5.94 leaving behind a widow, two sons and two daughters. Since the family was in distress and it needed immediate financial assistance, the widow of the deceased government servant applied to the respondents for grant of appointment on compassionate grounds to her son. Appointment of the applicant could not be made due to non-availability of a vacancy. The mother of the applicant had submitted a reminder dated 18.12.96, in response to which she was informed that the dependant of the deceased government employee was not eligible for such appointment since Shri Narpat Singh Naruka was involved in a case of embezzlement. The respondents have stated in the reply that the applicant's application for compassionate *Cipm* appointment was submitted to the screening committee for processing the case

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and that the wife of the deceased has already been paid a substantial amount by way of payments towards various heads of terminal benefits payable to the family of the deceased person, which has considerably reduced financial distress of the applicant. It has also been stated by the respondents that the case of the applicant shall duly be considered within the ambit of government orders on the subject as and when vacancies arise and subject to the limits on such appointments. The respondents have also regretted in the reply that an inappropriate reply was communicated to the applicant vide Annexures A-4 and A-5 of the Original Application.

4. In the circumstances, the respondents are directed to consider the applicant's request for grant of appointment on compassionate basis as per rules, instructions and guidelines on the subject, subject to availability of vacancy, as expeditiously as possible. No order as to costs.

*Gopal Krishna*  
(GOPAL KRISHNA)  
VICE CHAIRMAN

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