

(9)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 26.07.1999

OA No.157/98

Indraj Meena S/o Shri Birbal Ram Meena R/o Village Dabala, Tehsil
Neemkathana, Dist. Sikar, Rajasthan.

.. Applicant

Versus

1. Union of India through the Director General, Geological Survey of India, 27, J.L.Nehru Road, Calcutta- 700 016.
2. The Sr. Dy. Director General, Geological Survey of India, Western Region, Jhalana Dungri, Jaipur.

.. Respondents

Mr. M.M.Bharthan, counsel for the applicant

Mr. Shiv Kumar, Advocate, Briefholder for Mr. V.S.Gurjar, counsel for the respondents

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. Gopal Krishna, Vice Chairman

Applicant, Indraj Meena, in this application under Section 19 of the Administrative Tribunals Act, 1985, has sought a direction to the respondents for granting appointment to him on the post of Lower Division Clerk or any suitable post on compassionate grounds.

2. We have heard Mr. M.M.Bharthan, counsel for the applicant and Mr. Shiv Kumar, Briefholder for Mr. V.S.Gurjar, counsel for the respondents. We have gone through the records of the case.

3. The applicant is a member of Scheduled Tribe community. His father, Shri Birbal Ram Meena, while working on the post of Cleaner had expired on 18.12.1996 in the T.B.Hospital, Jaipur. The contention of the applicant is that he was fully dependent on his father for his livelihood and since he is a married person and has two young children to raise, he needs appointment to a suitable post on compassionate basis to sustain his family, which is in straitened circumstances. The contention of the respondents is that the applicant ought to have made a request for appointment on compassionate grounds within a year of the death of his father and since no such request was made within a year, this application merits rejection on this ground. It is also stated by the respondents that the applicant has failed to make out any case. The present application was filed on 23.4.1998. On 21.12.1998 the respondents have asked the applicant vide communication at Ann.A10 to furnish certain details and documents *mentioned* therein so that further action could be taken in regard to his

appointment on compassionate grounds. The applicant has already furnished the required information vide Ann.All dated 28.12.1998. It appears that the case of the applicant is still under consideration.

4. In the circumstances, the present application is disposed of with a direction to the respondents to consider on merits the applicant's request for grant of compassionate appointment to a suitable post as per rules within a period of 4 months from the date of receipt of a copy of this order. No order as to costs.



(N.P.NAWANI)

Adm. Member


(GOPAL KRISHNA)

Vice Chairman