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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 07.4.98

QA 57/98

Sunil Kumar Pacherwal s/o Late Shri Gaurishanker Pacherwal r/o 29, Chanwaria Marg, Mile-ke-neeche, Furani Basti, Jaipur.

... Applicant

Versus

1. Union of India through the Controller and Auditor General, Ministry of Finance, New Delhi.
2. The Accountant General, Rajasthan, (A.G.Office), Bhagwan Dass Road, Jaipur.
3. Sr.Accounts Officer (Adm.-I), A.G.Office, Rajasthan, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr.M.B.Sharma

For the respondents

... Mr.Javed Choudhary

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Sunil Kumar Pacherwal, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, praying for appointment as a Safai Karamchari or to a Group-D post on compassionate grounds.

2. Heard the learned counsel for the parties. Counsel for the parties have agreed to this matter being disposed of at the stage of admission.

3. Applicant's case is that his father, late Shri Gaurishanker Pacherwal, was a Safai Karamchari in the office of the Accountant General, Rajasthan, at Jaipur, and he expired while in service on 25.1.94 after having rendered 32 years of service. It is stated that the deceased employee was the only bread earner in the family and on his death, the family fell in trouble and felt immediate need of financial help by way of appointment of any member of the family, on compassionate basis. The widow of the deceased employee moved an application on 22.2.94 in this behalf. She was informed vide letter dated 22.9.94 that due to certain administrative reasons, the matter of appointment on compassionate grounds cannot be considered. Another application was moved by the applicant on 18.10.94, vide Annexure A-2, requesting therein for appointment on compassionate considerations since the family was in distress. The applicant was called for an interview on 16.10.95, vide Annexure A-1, dated 11.10.95, but the consideration of the matter was deferred since certain particulars of the members of the family of the deceased with reasons as to why

the members stated earlier did not tally with the official record were required to be furnished by the applicant. The requisite particulars of his family were furnished by the applicant vide his letter dated 20.12.95, at Annexure A-6. It is stated by the respondents that the applicant was called for an interview on 16.10.95. He was interviewed on that date and it was found that there was a discrepancy in the declaration made by the applicant in the application form regarding details of the family members as compared to those declared by late Shri Gaurishanker Pacharwal in his service record. It is also stated in the reply that after an information was sought from the applicant on the vocation of the eldest son of the deceased employee, the widow of the deceased employee had stated in her reply dated 9.3.96 that her eldest son was employed in the Nagar Nigam and that he was not supporting her family for a long time.

4. In the circumstances, the present application is disposed of, at the stage of admission, with a direction to respondent No.2 to consider the applicant's case for appointment on compassionate grounds as a Safai Paramchari or to any other Group-D post after verifying the relevant data and facts as per rules, instructions and guidelines on the subject, within a period of six months from the date of receipt of a copy of this order. The interim direction issued on 12.3.98 stands vacated. No order as to costs.

C. Krishna
(GOPAL KRISHNA)
VICE CHAIRMAN

VK