

①

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**JABALPUR BENCH,**  
**JABALPUR**

**O.A. No. 114 of 2006**

**Jabalpur, this the 1<sup>st</sup> day of March, 2006**

**Hon'ble Shri Justice G. Sivarajan, Vice Chairman**

1. Smt. Noor Jahan,  
W/o. Late Shri Mohd. Zafar  
Ali Khan, Age 47 yrs.
2. Tarique Zafar Khan,  
S/o. late Shri Mohd. Zafar Ali  
Age 20 yrs.

Both R/o. C/o. Mr. Seraj Khan,  
MIG S-1, Millennium Tower  
4-Ahmedabad Palace Road,  
Near K.K. Convent School,  
Koh-E-Fiza, Bhopal (MP).

..... Applicants

(By Advocate – Shri Aditya Sharma on behalf of Shri Naman Nagrath)

**VERSUS**

1. National Council of Educational  
Research & Training,  
Through its Secretary,  
Shri Arvindo Marg, New Delhi.
2. Regional Institute of Education,  
Through its Principal/Administrative  
Officer, Shamla Hills, Bhopal.
3. Demonstration Multipurpose Higher  
Secondary School, through its Principal  
Shamla Hills, Bhopal.
4. Union of India, through Secretary,  
Govt. of India, Ministry of Human Resources  
Development, Shastri Bhawan, Dr.  
Rajendra Prasad Road,  
New Delhi.

..... Respondents

②

ORDER (Oral)

The first applicant is the widow of late Shri Mohd. Zafar Ali Khan who was employed as a Post Graduate Teacher under the second respondent. The second applicant is the son of late Shri Mohd. Zafar Ali Khan. Shri Mohd. Zafar Ali Khan died while in service on 1.10.2003. The first applicant then made a representation to the third respondent for grant of compassionate appointment to her eldest son on 13.10.2003 (Annexure A-1) followed by another letter dated 17.12.2003 (Annexure A-2). This was followed by representations dated 17.12.2004 (Annexure A-7) and 18.1.2005 (Annexure A-8) and reminders dated 2.2.2005, 6.3.2005, 25.7.2005 and 25.10.2005 (Annexure A-9 to Annexure A-12 respectively). The respondents had also sent replies dated 9.7.2004 and 19.8.2004 (Annexure A-4 and A-6 respectively). The applicant produced a copy of the communication dated 27/29.06.2005 (Annexure A-13) sent by the Accounts Officer to the first respondent Secretary to show that there are 22 posts of Group-C vacant in the institution. The grievance of the applicants in this case is that though the applicant No. 1 and her family are really in penury, the respondents had not yet taken a final decision in the matter inspite of availability of vacancies under the first respondent.

2. After hearing Shri Aditya Sharma on behalf of Shri Naman Nagrath, counsel for the applicant, I am of the view that the appropriate course is to issue directions to the respondents to take a final decision in the matter within a time frame. Accordingly, there will be a direction to the first and second respondent to take a final decision on the application/representations mentioned above in accordance with law as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this order. Needless to say that the order must be a reasoned one.

3. The OA is disposed of at the admission stage itself as above. The applicant will forward a copy of this order along with a copy of

by

this OA together with its annexures to the first and second respondents within a period of 10 days from today for compliance.

(G. Sivarajan)  
Vice Chairman

"SA"

पृष्ठांकन सं ओ/न्या.....जयलपुर, दि.....

प तिलिचि अको धित:-

- (1) सचिव, उच्च न्यायालय एवं एडमिनिस्ट्रेशन, जयलपुर
- (2) आवेक श्री/श्रीमती/शु.....के काउंसल
- (3) प्रत्येकी श्री/श्रीमती/शु.....के काउंसल
- (4) पंचमाल, के.प्र.ओ., जयलपुर न्यायाधीश सूचना एवं आवश्यक कार्यवाही हेतु

उप सचिव

माननीय न्यायाधीश  
अध्यापक  
अध्यापक  
(with copy)

Filed  
3/3/06