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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT CAMP: GWALIOR

ORIGINAL APPLICATION NO. 340 OF 2006

Gwalior, this the 7th day of November, 2006

**Hon'ble Dr.G.C.Srivastava - Vice Chairman
Hon'ble Shri A.K.Gaur - Judicial Member**

Navneet Singh Gaur, S/o late Shri Dharamraj Singh Gaur, aged 29 years, Unemployed, R/o Shambhav Bhawan, Near Central Bank of India, Kampoo, Lashar, Gwalior (M.P.).

-Applicant

(By Advocate - Shri D.P.Singh)

Versus

1. The Accountant General (Audit), Madhya Pradesh
[Through Accountant General (Audit)], M.P.Jhansi Road,
Gwalior.

2. The Audit Officer, Administration-12, Jhansi Road, Gwalior.

-Respondents

(By Advocate - Shri Madhukar Rao)

ORDER (Oral)

By A.K.Gaur, JM.-

By means of this Original Application, the applicant has claimed for grant of compassionate appointment on account of death of his father Shri Dharamraj Singh in harness. The applicant had earlier approached this Tribunal by way of filing OA No.1083 of 2005, which was disposed of vide order dated 23.11.2005. The operative portion of the said order is reproduced below:

"3. Accordingly, this Original Application is disposed of, at the admission stage itself, with a direction to respondent no.1 to treat this OA as representation of the applicant and, thereafter consider and decide the case of the applicant for grant of compassionate appointment by passing a detailed, reasoned and speaking order within a period of three months from the date of communication of this order. The applicant is also directed to send a copy of this OA along with this order to the respondent no.1 immediately".

2. In view of the directions given by the Tribunal in the aforementioned OA 1083/2005, the case of the applicant was again considered by the

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competent authority by means of order dated 3.3.2006 (annexure A-1). The competent authority in its order dated 3.3.2006 has clearly observed that the applicant was called for interview on 27.9.2001 along with 35 other candidates by the departmental selection committee duly constituted by the then Accountant General to adjudge their eligibility and suitability for compassionate appointment by viewing aspects like financial position of the family, pensionary benefits received, assets and liabilities left over by the deceased government servant. The selection committee after balanced and objective assessment of the pecuniary position of the family and taking into account its assets and liabilities, limited number of vacancies that could be filled on compassionate basis and all other relevant facts, recommended only the most deserving cases for compassionate appointment. The name of the applicant was not recommended by the committee after considering all the facts.

3. We have considered the rival contentions of parties. We have also noticed that the father of the applicant died in the year 2001 and the family stood survived for a period of five years. This is sufficient to discredit the case of the applicant for grant of compassionate appointment. From a perusal of the reply submitted on behalf of the respondents it is amply clear that a substantial amount has already been granted to the family of the deceased government servant as terminal benefits, and family pension to the tune of Rs.3387/- with effect from 6.1.2001 to 5.1.2008 and Rs.2333/- per mother thereafter is sanctioned. The family of the deceased government servant comprises of the applicant and his mother. In this view of the matter, we do not find any merit in this case.

4. In the result, the Original Application is dismissed, however, without any order as to costs.

A.K. Gaur
(A.K.Gaur)
Judicial Member

Dr. G.C. Srivastava
(Dr.G.C.Srivastava)
Vice Chairman

rkv

पृष्ठकन सं ओ/न्या.....जवलपुर, दि.....
पलिलिपि अवधि:-
(1) सचिव, उच्च न्यायालय एवं एसेसिएशन, जवलपुर
(2) आलेखक/प्रतिनिधि/कु.....के काउंसल
(3) प्रत्यक्षी/डी/डी/के/कु.....के काउंसल
(4) जज/जल. यं. ड. ज., जवलपुर जज/जल. यं. ड. ज.
सूचना एवं आवश्यक कार्यवाही हेतु
उप रजिस्ट्रार

Dr. Singh Arwal
M. Rao Arwal

Issued
On 10.11.06