

(CJ)

CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JA BALPUR

Original Application No. 809 of 2005

Jabalpur, this the 23rd day of October, 2006.

Hon'ble Dr.G.C.Srivastava,Vice Chairman

Mahesh Banskar (Basore) aged about 30 years, S/o Late
Shri Anandi Lal Vanshkar, R/o 1662, Siddh Baba Ward,
Baldikori Ki Daphai, Jabalpur (M.P.)

-Applicant

(By Advocate – Shri M.K.Verma)

V E R S U S

1. Union of India through Secretary, Ministry of Defence,
Ordinance Factory Division, New Delhi.
2. General Manager, Ordinance Factory, Khamaria
Jabalpur, Jabalpur (M.P.).

-Respondents

(By Advocate – Shri A.P.Khare)

O R D E R(Oral)

This Original Application has been filed by the applicant challenging the order dated 30.6.2004 (annexure A-5) by which the representation of the applicant for appointment on compassionate grounds was rejected. It has been challenged on the ground that the case of the applicant was not considered in accordance with the guidelines for grant of compassionate appointment. It has further been submitted by way of an amendment application that the respondents have on their own fixed 40 marks, as the cut off marks for consideration of

(CJ)

applications for compassionate appointment on three consecutive occasions.

2. The respondents, in their counter reply, have submitted that the applicant has scored 39 marks out of 100 and was, therefore, not considered for compassionate appointment. It has also been clarified in the reply filed to the amendment application that although DOPT's instructions do not provide for a cut off mark of 40, this condition was imposed by the respondents on the basis of having many deserving candidates who had secured more than 70 marks. In view of the fact that the vacancies for appointment on compassionate grounds are limited to 5% of the total vacancies, it would not be possible to consider the applicant's case at all as in this case only 39 marks were secured.

3. Having heard the learned counsel of both parties, I am of the view that no case for interference in the impugned order has been made out by the applicant. The OA, being devoid of merits, is, therefore, dismissed. No costs.

Gaurav

(Dr. G. C. Srivastava)
Vice Chairman

rkv

प्रधानमंत्री संघर्ष और व्यापक
एवं सिविलियन अपार्टिमेंट जवलपुर, बिहार
(1) साधिक, बिहार एवं उत्तर प्रदेश, जवलपुर
(2) अग्नेयदेवता एवं विद्युत विभाग, जवलपुर
(3) पर्यावरण एवं विद्युत विभाग, जवलपुर
(4) विद्युत एवं विद्युत विभाग, जवलपुर, बिहार
संघर्ष एवं आवरणक संगठनों की ओर
संघर्ष एवं आवरणक संगठनों की ओर

M. K. Varma

A. P. Khar

Adv 230

Adv 230

Approved
26.10.06