

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
CIRCUIT COURT SITTING AT GWALIOR

Original Application No. 1084 of 2005

Gwalior this the 23rd day of November, 2005.

Hon'ble Mr. M.P. Singh, Vice Chairman
Hon'ble Mr. Madan Mohan, Judicial Member

Pawan Singh Yadav
S/o Late Shri Narendra Singh
Yadav, aged 31 years, R/o Vijay Nagar,
Sector-4 Koteswar Road, Lashkar,
Gwalior (M.P.)

Applicant

(By Advocate – Shri D.P.Singh)

VERSUS

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

2. The Audit Officer
Administration-12
Moti Mahal, Gwalior

Respondents

ORDER(Oral)

By M.P. Singh, Vice Chairman –

By filing this Original Application, the applicant has sought
the following main relief :-

“i) That, the orders rejecting the claim of compassionate
appointment of the applicant Annexure A-1 be ordered to be
quashed.”

ii) That, the respondents be directed to grant the
compassionate appointment to the applicant in place of the
deceased Late Shri Narendra Singh Yadav.”

2. The brief facts of the case are that the applicant's father Shri
Narendra Singh Yadav was working under the respondent-
department as Senior Auditor and he died in harness on 10.2.1999.

The applicant has submitted an application to respondent no.1 for

appointment on compassionate grounds. The respondents have rejected the request of the applicant vide their order dated 19.6.2002 (Annexure-A-6). The applicant had again made an application, which has also been considered and rejected vide order dated 28.3.2003 (Annexure-A-7). Thereafter, the applicant had earlier filed OA No.437/2004 which was disposed of vide order dated 20.4.2005 by directing the respondents to reconsider the case of the applicant in. In pursuance of the above direction of the Tribunal, the respondents have passed the impugned order dated 12.8.2005 wherein it has been mentioned that it was not found possible to give appointment to the applicant on compassionate ground and, therefore, they have rejected the request of the applicant. It is against this order, the present OA has been filed by the applicant with a prayer to direct the respondents to reconsider his case.

3. We have carefully considered the arguments advanced on behalf of the applicant.

4. We find that earlier the respondents have considered the case of the applicant and have not found it possible to provide the appointment on compassionate ground on the ground of limited number of vacancies for appointment on compassionate grounds. While rejecting the case of the applicant vide order dated 12.8.2005, the case of the applicant has been again considered by a committee keeping in view the financial condition of the applicant and they have not found the applicant suitable, and, therefore, they have rejected the case of the applicant. The concept of granting compassionate appointment is largely related to the need of providing ^{immediate} ~~minimum~~ financial assistance to the family of the deceased Government servant in order to ^{relieve} ~~relief~~ it from economic distress and also mitigate the immediate financial need of the family so that the family of the deceased Government servant does not become indigent.

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5. In the present case the father of the applicant died in the year 1999. The family has maintained somehow for these years i.e. for about six years and, therefore, in this case there is no immediate need for providing any financial assistance to the family. Moreover the vacancies for appointment on compassionate grounds are limited to the 5% of direct recruit vacancies. The appointment on compassionate grounds cannot be considered as an alternative source of recruitment.

6. In view of the facts mentioned above, we do not find any merit in this Original Application, and the same is rejected at the admission stage.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

Rkv.

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

संविधानिक अधिकारी के द्वारा --

(1) सचिव, जयपुर न्यायालय, जयपुर

(2) जयपुर न्यायालय, जयपुर के कार्यालय

(3) प्रत्यक्षी, जयपुर, जयपुर के कार्यालय

(4) दायित्व, जयपुर, जयपुर के कार्यालय

सूचना एवं आदेशों के अनुसार

जयपुर न्यायालय

M.P. Singh

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