

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

Original Application No. 1085 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

Yogendra Singh Yadav
S/o Late Shri Balak Ram Yadav
Aged 35 years, Unemployed R/o 149-D
Opp. P&T Colony, Thatipur, Morar,
Gwalior (M.P.) Applicant

(By Advocate – Shri D.P. Singh)

V E R S U S

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

O R D E R(Oral)

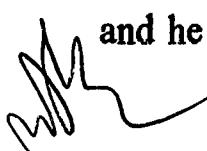
By M.P. Singh, Vice Chairman –

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 dt. 11.1.2005 Annexure-A-1 and 27.12.2002 Annexure A-2 be ordered to be quashed.

ii) That, the respondents be directed to reconsider the case of the applicant and grant the compassionate appointment to the applicant in place of the deceased Late Shri Balak Ram Yadav considering his liability.”

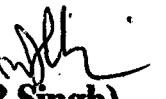
2. The brief facts of the case are that the applicant's father Shri Balak Ram Yadav was working under the respondent-department and he died in harness on 20.7.1998. The applicant has submitted



an application to respondent no.1 for appointment on compassionate grounds. The respondents have rejected the request of the applicant vide their order dated 11.1.2005 (Annexure-A-1). The applicant had earlier filed an OA No.337/2005 which was subsequently withdrawn by the applicant. He has now filed the present OA by making a prayer to the respondents to reconsider his case on the ground that other similarly placed persons have already been granted appointment on compassionate grounds, whereas the applicant's case has been rejected, although the applicant does not have any source of income to maintain the family of the deceased Government servant. The learned counsel for the applicant has submitted that he will feel satisfied, if directions are given to the respondents to reconsider the case of the applicant.

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.


(Madan Mohan)
 Judicial Member


(M.P.Singh)
 Vice Chairman

Rkv.

प्रधानमंत्री संघर्ष और व्यापक समिति का अधिकारी, जलवायन, दिल्ली
 (1) रामेश्वर मुख्यमंत्री, राज्यपाल
 (2) रामेश्वर मुख्यमंत्री, राज्यपाल
 (3) रामेश्वर मुख्यमंत्री, राज्यपाल
 (4) रामेश्वर मुख्यमंत्री, राज्यपाल

28/11/05
 दिल्ली

D-P. Singh DPM
 Resd
 (With copy of
 2005)

Ex-Officio
 29/11/05