

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH

OA No. 996/04

Jabalpur, this the 3<sup>rd</sup> day of December, 2004.

Hon'ble Mr.Madan Mohan, Judicial Member

Smt.Pushpa Pandey  
Widow of Late Shri Dhruv Kumar Pandey  
Retd.Senior Auditor  
Office of LAO (Army), Sagar  
District Sagar  
R/o 3/46, Sadar Bazar  
Sagar (M.P.)

Applicant

(By advocate Shri Sharan Verma)

Versus

1. Union of India through its  
Principal Secretary  
Ministry of Defence & Accounts  
New Delhi.
2. The Director  
Ministry of Defence Accounts  
(Admn. 8 Part) West Division-V  
R.K.Puram, New Delhi.
3. Accounts Officer (Admn)  
Defence Accounts & Audit  
C.D.A, Ridge Road  
Jabalpur.

Respondents.

(By advocate Shri P.Shankaran)

ORDER (Oral)

By Madan Mohan, Judicial Member

By filing this OA, the applicant has sought the following  
reliefs:



- (i) Direct the respondents to consider the case of the son of the applicant on compassionate basis.
- (ii) Direct the respondents to adhere to the 5% quota fixed for compassionate appointment and accede to the request of the applicant in that regard.

2. The brief facts of the case are that the husband of the applicant late Dhruv Kumar Pandey was working as a Senior Auditor in the office of AAO, BCO, MES, Sagar. Due to prolonged illness, he was compulsorily retired from service w.e.f.6.6.2001. Thereafter the applicant submitted an application for compassionate appointment of her son. The son of the applicant also submitted an application dated 8.11.2001 for grant of compassionate appointment. The respondents informed the applicant that there was no vacancy and hence the case for compassionate appointment cannot be considered vide order dated 9.5.03.

3. Heard the learned counsel for both parties.

4. The husband of the applicant died on 22.7.03 leaving behind five children viz. 3 daughters, 2 sons and the widow. The case of the applicant for compassionate appointment of her son was not considered in view of the latest OM dated 5<sup>th</sup> May 2003.

5. The learned counsel of the applicant states that the applicant would be satisfied if the respondents are directed to consider her case in accordance with the latest OM and considering the facts and circumstances and the contentions of the applicant.

6. Therefore, the applicant may file a fresh application to the respondents within one month from today, furnishing all the



particulars of educational qualification of her son, along with relevant documents and if she complies with this, then the respondents are directed to consider and decide the representation of the applicant within 3 months according to the OM dated 5<sup>th</sup> May 2003 and the respondents shall also consider the facts, circumstances and the contentions of the representation of the applicant and pass a detailed, speaking and reasoned order.



(Madan Mohan)  
Judicial Member

aa.

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....  
प्रतिलिपि अर्द्धे पितः--

- (1) सचिव, उच्च न्यायालय दार एसेरिगेशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/शु.....के काउंसल
- (3) प्रत्यर्थी श्री/श्रीमती/शु.....के काउंसल
- (4) कथपाल, डी.प्र.अ., जबलपुर न्यायापीठ  
सूचना एवं आवश्यक कार्यवाही हेतु

Sharad Verma DN  
DN  
P. Shankaran  
DN DN

14/3/03  
जय सजिन्द्र

Issued  
On 14.3.03  
BS