

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No.787/04

Jabalpur, this the 27th day of September, 2004.

CORAM

Hon'ble Mr.Madan Mohan, Judicial Member

1. Smt.Nirmala Bai Rajput
Wife of Late Shital Prasad.
2. Nitin Rajput
S/o Late Shital Prasad
Both residents of 818,
Behind Nathulal Dharmshala,
Gorakhpur, Jabalpur. Applicants.

(By advocate Shri P.R.Bhave on behalf of
Shri S.P.Tripathi)

Versus

1. Union of India through
Secretary, Ministry of
Defence, New Delhi.
2. The Chairma/D.G.of
Ordnance Factory Board
Calcutta.
3. The General Manager
Ordnance Factory Khamaria
Jabalpur. Respondents

(By advocate None)

O R D E R (oral)

By Madan Mohan, Judicial Member

In this OA, the applicants seek to quash order dated 12.7.2003 (A-2) and a direction to the respondents to consider the case of the 2nd applicant for employment assistance on compassionate grounds.

2. The brief facts of the case are that applicant No.1 is the widow and applicant No.2 is the son of Shital Prasad who died in harness on 11.10.89 while working as labour in the Ordnance Factory, Khamaria, Jabalpur. The deceased Shital Prasad left behind two sons and four daughters. Applicant No.1 applied on 6.1.2000 for giving



compassionate appointment to applicant No.2, Nitin Rajput but this application was rejected by the respondents vide order dated 12.7.03 (Annexure A2).

3. Learned counsel of the applicants argued that according to the policy of the Govt. of India, Ministry of Defence, the case of the applicants should have been considered three times by the respondents while it was considered only one time. He also argued that the financial situation of the family is pitiable and they are unable to maintain the family if the applicant No.2 is not provided with compassionate appointment, by the respondents, and that respondents may be directed to consider the case of the applicant sympathetically.

4. I have heard the learned counsel of the applicants. In view of the submission made by the learned counsel of the applicant, applicant No.2 is directed to submit a fresh representation to the respondents for compassionate appointment within one month from today, giving full particulars along with relevant documents regarding his educational qualification etc. and if he complies with this then the respondents are directed to consider the case of applicant No.2 in accordance with the policy of the Govt. of India, Ministry of Defence, within a period of three months from the date of receipt of such fresh representation.

(Madan Mohan)
Judicial Member

aa.

पृष्ठान्त सं ओ/ब्या.....जबलपुर, दि.....

प्रतिनिधि अर्थात् :-

- (1) सचिव, उच्च न्यायालय दूर दूरस्थित, जबलपुर
- (2) आवेदन के, निवेदन के काउंसल SP Tripathi
- (3) प्रत्येक के, निवेदन के काउंसल
- (4) अध्यक्ष, न्यायालय, जबलपुर न्यायाधीश

सूचना एवं आवश्यक कार्यवाही हेतु

29/8/04
उप-रजिस्ट्रार

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BS