

CENTRAL ADMINISTRATIVE TRIBUNAL
JABALPUR BENCH

OA No.805/04

Jabalpur, this the 28th day of September, 2004.

CORAM

Hon'ble Mr.Madan Mohan, Judicial Member

Ajay Kumar Yadav
S/o Late Shri Ram Chandra Yadav
R/o House No.998/1
In front of Central Bank, Mandla Road
Bilhari, Jabalpur.

Applicant

(By advocate Shri R.B.Yadav)

Versus

1. Union of India through
The Secretary
Ministry of Defence Production
South Block, DHQ PO
New Delhi.
2. The Director General, of Ordnance
Factories/Chairman, Ordnance
Factories Board
Khudiram Bose Road
Kolkata.
3. The Senior General Manager
Gun Carriage Factory
Jabalpur (MP)

Respondents

(By advocate None)

O R D E R (oral)

By Madan Mohan, Judicial Member

By filing this OA, the applicant seeks to quash the impugned order dated 10.8.04 and a direction to the respondents to consider him for appointment on compassionate grounds.


2. The brief facts of the case are that the applicant's father Ram Chandra Yadav while working in the Gun Carriage Factory, Jabalpur, died on 8.1.2003 due to neck and head cancer. The applicant submitted an application for compassionate appointment in February 2003 but his request has not been considered so far. The applicant's mother



expired 4 years ago. The applicant has one unmarried sister and one younger brother who is also unemployed. There is no source of income for the family and the family was fully dependent upon the deceased employee who was the sole breadwinner. The applicant submitted applications on 7.2.04, 7.6.04 and 21.6.04 respectively. The applicant has been intimated vide letter dated 10.8.2004 that his application has been produced before the Scrutiny Committee on 25.5.2004 for second time but since he secured 45 marks after assessment, compassionate appointment cannot be provided.

3. Heard learned counsel of the applicant. It is argued on behalf of the applicant that the applicant's father had served the Ministry of Defence and according to the policy of the Govt. of India, Ministry of Defence, the matter of providing employment assistance on compassionate ground is required to be considered three times consecutively by the Board, but the respondents have considered the matter only two times, vide order dated 10.8.2004 (Annexure A10). The counsel submitted that the respondents be directed to consider the matter for third time also.

4. In view of the submission made by the learned counsel of the applicant, the applicant is directed to move a fresh application to the respondents for employment assistance on compassionate ground, giving full details and particulars along with necessary documents regarding his educational qualification etc. within a period of one month from today and if he complies with this, then



the respondents are directed to consider the same within a period of three months, in accordance with the policy of the Government of India, Ministry of Defence.

5. The OA is disposed of as above. No costs.



(Madan Mohan)
Judicial Member

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पृष्ठंकन सं ओ/ज्या.....जबलपुर, दि.....
प्रतिलिपि अर्पित:-

- (1) सचिव, उच्च न्यायालय वार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) प्रत्यर्थी श्री/श्रीमती/कु.....के काउंसल
- (4) मंत्रालय, को.प.अ., जबलपुर न्यायपीठ

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

Issued
On 01-10-04
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