

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

ORIGINAL APPLICATION NO.193 OF 2003

Jabalpur, this the 17th day of April, 2003.

Hon'ble Mr. A.K. Bhatnagar, Member (Judicial)

Pappu Lal Kori S/o late Shri Ram Nath  
Koti, Aged about 30 years, Unemployed,  
Residence of H.No.444, Tulsi Mohalla,  
Bai ka Bageecha, Jabalpur (MP)

-APPLICANT

(By Advocate- Mr. Vivek Shukla)

Versus

1. Union of India through  
the Secretary, Ministry of  
Defence, New Delhi.

2. Commandant,  
Central Ordnance Depot,  
Jabalpur (MP)

3. Personnel Officer (Civilian)  
Central Ordnance Depot, Jabalpur.

-RESPONDENTS

Q R D E R (ORAL)

This application has been filed under section 19  
of the Administrative Tribunal Act, 1985 seeking relief  
for summoning the original record relating to the  
compassionate appointment of the applicant and a direction  
to the respondents to reconsider the case of the  
applicant for compassionate appointment.

2. The brief facts as per applicant are that the  
applicant's father was working under the respondent No. 2  
on the post of Fitter H.S.-II. The applicant's father  
Shri Ram Nath Kori expired on 01.09.1999 leaving behind  
his widow Smt. Rukamani Bai, a son Shri Pappu Lal Kori  
and a daughter Ku. Deepa Kori. The claim of the applicant  
is that at the time of death of his father, there was no

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immovable property in /name of his family at Jabalpur and  
his family was residing in the rental house. The applicant  
also claims that he and his mother had submitted request  
before the concerned authority for grant of compassionate  
appointment. A copy of which is Annexure A-2. In pursuance  
of the application made by the applicant for compassionate  
appointment, a letter No.766 dated 29.8.2000 was issued  
by the Department for submitting some documents/certificate.  
A copy of the letter is Annexure A-5. The applicant's  
request for compassionate appointment was considered by  
the Circle Committee in its meeting, which was held in  
January 2001 at Kanpur first time. It was again considered  
in its meeting at Agra and finally the request of the  
applicant was considered third and the last time on  
28.2.2002, which was communicated to the mother of the  
applicant vide letter dated 26.3.2002, i.e., Annexure A-8,  
in which it has been clearly mentioned that the request  
of the applicant for compassionate appointment has been  
rejected due to limited number of vacancies and large  
number of applications received for the post.

3. I have heard the learned counsel for the  
applicant and have perused the record carefully.

4. The learned counsel for the applicant submitted  
that the action of the respondents is malafide, discri-  
minatory and arbitrary. Counsel for the applicant further  
submitted that the request of the applicant for com-  
passionate appointment, which is rejected by the respondents  
is not a speaking order. He further submitted that he  
should have been considered for compassionate appointment,  
as he is having liabilities of education and marriage  
of his unmarried sister and due to denial of compassionate

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appointment, the family of the deceased Government servant is facing serious problems. I have gone through the letter dated 29.8.2000 (Annexure A-5), which was sent by the respondents for offering compassionate appointment to the wife of the deceased Government servant. I have also gone through the letter dated 25.3/4.2001 (Annexure A-6) addressed to Smt. Rukamani Bai, wife of the deceased Government servant, in which it has been mentioned in para 2 that her application has been considered by the Circle Committee, but due to limited number of vacancies and large number of applications for compassionate appointment her application was not acceded to. I have also gone through the letter dated 19.12.2001 (Annexure A-7), in which it is stated that the application of the applicant should be scrutinised and considered ~~third~~ time and last time in C.O.D. Agra by the Circle Committee. I have also perused the impugned letter dated 26.3.2002 (Annexure A-8), in which it has been mentioned that the name of the applicant could not be considered due to large number of applications for compassionate appointment of more deserving applicants and limited number of vacancies.

5. In view of the aforesaid, I find no infirmity in the orders passed by the respondents and no judicial indulgence is warranted in this case. The O.A. is dismissed for being devoid of any merit at the admission stage with no order as to costs.

पूछकर से ओ/वा.....  
पत्रिलिपि अंत तिथि:- जवलपुर, दि.....  
 (1) अधिकारी, राजा व्यवस्था विभाग, जवलपुर  
 (2) अधिकारी, राजा व्यवस्था विभाग, जवलपुर  
 (3) अधिकारी, राजा व्यवस्था विभाग, जवलपुर  
 (4) अधिकारी, राजा व्यवस्था विभाग, जवलपुर  
 सूचना द्वारा दिया गया

(A.K.Bhatnagar)  
Member (Judicial)

Shri Vivek Shukla, Adarsh

28.6.03

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on 22.4.03  
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