

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

ORDER (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

the  
 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, discriminatory and arbitrary. Counsel for the applicant further submitted that the request of the applicant for compassionate 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

*W*

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.

*[Signature]*

*[Signature]*  
(A.K. Bhatnagar)  
Member (Judicial)

पुस्तक सं ओ/न्या.....जबलपुर, दि.....  
पतिलिपि अर्पित:-  
(1) सचिव, उच्च न्यायालय, जबलपुर  
(2) जिला न्यायाधीश, जबलपुर  
(3) प्रभु, जबलपुर  
(4) अधिवक्ता, जबलपुर  
सूचना एवं प्रसारण विभाग, जबलपुर  
28.4.03

MA  
Issued  
on 22.4.03  
BS