

CENTRAL ADMINISTRATIVE TRIBUNAL, CIRCUIT BENCH, GWALIOR

Original Application No. 205 of 2003

Gwalior, this the 16th day of July 2003

Hon'ble Shri Kuldip Singh, Judicial Member
Hon'ble Shri Anand Kumar Bhatt, Administrative Member

Smt. Raj Kumari Godia
W/o Late Shri Devendra Kumar
Godia, R/o. Lala Ka Bazar,
Hanuman Gali Lashkar,
District Gwalior (M.P.).

... Applicant

(By Advocate - None)

V e r s u s

1. Union of India through
Accountant and Auditor General of
India, New Delhi.

2. Accountant General,
A.G. Office, Gwalior (M.P.).

... Respondents

O R D E R (Oral)

By Kuldip Singh, Judicial Member -

None was present on behalf of the applicant on the last occasion. Today also none is present on behalf of the applicant. Therefore we are proceeding against the applicant under Rule 15(1) of CAT (Procedure) Rules.


2. The applicant has filed this Original Application seeking a direction to the respondents to appoint the applicant on compassionate grounds.

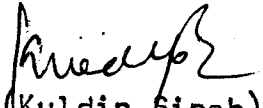
3. The brief facts of the case are that the applicant is widow of Late Shri Devendra Kumar Godia, who died in harness. The applicant made an application to the Department for appointment on compassionate ground, but the same was rejected on the sole ground of non-availability of sufficient number of vacancies in the quota of appointments to be made

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on compassionate basis. The perusal of the grounds do not show that any vacancy is available in the said quota. It is well settled law that this Tribunal cannot direct the respondents to create any vacancy and make appointment.

4. Hence the application of the applicant for appointment on compassionate ground has rightly been rejected by the respondents as vacancies are not available and the OA is bereft of any merit and the same is dismissed in limine.


(Anand Kumar Bhatt)
Administrative Member


(Kuldip Singh)
Judicial Member

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