

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR
Original Application No. 229 of 2003

Jabalpur, this the 19th day of June 2003.

Hon'ble Mr. D.C. Verma - Vice Chairman (J)
Hon'ble Mr. A.K. Bhatt - Administrative Member

Prabhant Kant Chourasia
S/o Late Vijay Kumar Chourasia
Aged about 30 years, R/o Udaji
Ki Payga Pathshala Wali Gali,
Janakganj, Lushkar, Gwalior.

APPLICANT

(By Advocate - Shri M. Saini)

VERSUS

1. Union of India Through the Secretary, Ministry of Finance
New Delhi 110 001.
2. The Comptroller & Auditor General
10, Bahadur Shah Zafar Marg
New Delhi 110001
3. The Auditor General
Madhya Pradesh & Chhattisgarh
Moti Mahal, Lashkar, Gwalior
(M.P.) 474 001

RESPONDENTS

O R D E R (ORAL)

By D.C. Verma, Vice Chairman (J) -

The case of the applicant is that his father Vijay Kumar Chourasia died on 07.04.1999 after sustaining injuries on 01.04.1999 in a road accident while he was going for official duty to Bhopal. The mother of the applicant applied for grant of compassionate appointment for the applicant. The claim of the applicant for compassionate appointment was rejected vide order dated 17.04.2002 (Annexure A-6).

2. The submission of the learned counsel of the applicant is that as per paragraph 6.5 of the Original Application, the deceased employee left behind his wife, 3 sons,

1 daughter, mother and 2 widowed sister-in-laws. All the members are now in an indigent condition to meet out the financial crises, due to death of the deceased employee. It has been also submitted that the cases of two others, whose names have been mentioned in para 6.6 of the Original Application, are less deserving, still they have been given the benefit of compassionate appointment discriminating the applicant.

3. We have seen the impugned order dated 17.04.2002. The claim of the applicant has been rejected looking to financial liability and dependency.

3.1 The learned counsel of the applicant stated that the grant of compassionate appointment is to be made as per laid down guidelines. Though it is not necessary that every dependent has to be provided employment on compassionate ground, but the administration cannot act arbitrarily to pick and choose ^{arbitrarily} transparently without going into the merits of each case.

4. We, at this stage find fit to direct the respondents to re-examine the case of the applicant for appointment on compassionate ground as per the laid down rules, regulations and guidelines, and also after examining the case of the applicant vis-a-vis ^{those whose names are mentioned in} the newly added respondents through MA No. 478/2003.

5. Accordingly the original application is allowed, with a direction to the applicant to give a detailed representation to the respondents within a period of 15 days from the date of receipt of copy this order. The respondents shall after receipt of the said representation decide the same by a speaking order within a period of

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three months thereafter. OA is decided accordingly.

Anand Kumar Bhatt
(Anand Kumar Bhatt)
Administrative Member

D.C. Verma
(D.C. Verma)
Vice Chairman (J)

पृष्ठांकन सं. अ०/वा. तितला, दि.
पृष्ठिरिक्त

- (1) राधिका, दा. तितला, दि.
- (2) आवेदन दा. तितला, दि.
- (3) प्रत्यारोपण दा. तितला, दि.
- (4) वांगमाल, दा. तितला, दि.

सूचना एवं आवेदन दा. तितला, दि.

M. Saini
Resp no 3 with peltion

Chandru
उप सचिव

Received
on 24.6.03