

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

ORDER (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 the <sup>financial</sup> liability and independency.

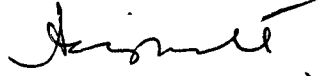
3.1 The learned counsel of the applicant stated that the grant of compassionate appointment is to be made as per laid down guidelines. Though it is not necessary that every dependent has to be provided employment on compassionate ground, but the administration cannot act arbitrarily to pick and choose <sup>arbitrarily</sup> ~~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 <sup>those whose names are</sup> ~~the newly added respondents~~ <sup>mentioned in</sup> through MA No. 478/2003.

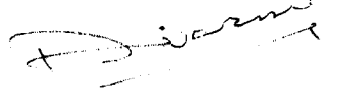
5. Accordingly the original application is allowed, with a direction to the applicant to give a detailed representation to the respondents within a period of 15 days from the date of receipt of copy this order. The respondents shall after receipt of the said representation decide the same by a speaking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

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three months thereafter. OA is decided accordingly.



(Anand Kumar Bhatt)  
Administrative Member



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

पृष्ठंकन सं अ/व्यक्ति..... म.सं. दि.....

प्रतिनिधि

- (1) सचिव, राज्य सरकार, नया दिल्ली
- (2) राज्यपाल, राज्य सरकार, नया दिल्ली
- (3) प्रत्यक्ष राज्य सरकार, नया दिल्ली
- (4) राज्यपाल, राज्य सरकार, नया दिल्ली

सूचना एवं आवाजदाता कार्यालय, नया दिल्ली

  
उप सचिव

M. S. Verma  
Resp 203 with petition

Issued  
on 24-6-03  
BS