

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
(CIRCUIT SITTING AT GWALIOR)**

Original Application No. 303/2003

Gwalior, this the 17th day of May, 2004

**Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Member (J)**

Radhakishan Ramnani,
s/o late Shri Dayal Ramnani,
aged 29 years, Occupation: Unemployed,
R/o B-53, Ashok Vihar Colony,
Tansen Road, Hazeera, Gwalior (MP).

...Applicant

(By Advocate: Shri D.P. Singh proxy for Sh. J.Maheshwari)

-versus-

1. The Comptroller and Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi – 110 002.
2. The Principal Accountant General,
Audit-I, Madhya Pradesh & Chhattisgarh,
Motimahal, Gwalior (MP).
3. The Audit Officer,
Administration-XII,
Office of Principal Accountant General,
Audit-I, Madhya Pradesh & Chhattisgarh,
Moti Mahal, Gwalior (MP).

... Respondents

(By Advocate: Shri M.Rao)

ORDER (ORAL)

By M.P. Singh, Vice – Chairman:

By filing the present Original Application, the applicant has sought the following main reliefs:

- i) That the order Annexure A-1 may kindly be directed to be quashed;
- ii) That the respondents be directed to grant compassionate appointment to the applicant in place of his father late Shri Dayal Ramnani;
2. The brief facts of the case are that the applicant's father was working as Assistant Accounts Officer under the respondents and he died in harness on 5.2.2001. The wife of the deceased Government employee made an application on 5.12.2001 to the respondents for appointment of one of her sons i.e. the applicant, to Group 'D'/'C' post on compassionate ground.



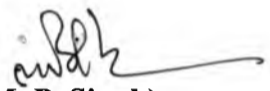
The respondents after considering the said application, rejected the same vide their order dated 17.07.2002 without assigning any reason. The order passed by the respondents is a non-speaking order and no reason has been given for non-appointment of the applicant on compassionate ground.

3. Since the respondents have not given any reason while passing the order dated 17.7.2002 vide which the request of the applicant for appointment on compassionate ground has been rejected, the said order is not sustainable in the eye of law and is, therefore, quashed and set aside. The respondents are directed to re-consider the case of the applicant sympathetically for appointment on compassionate ground by passing a reasoned, detailed and speaking order within a period of three months from the date of receipt of a copy of this order. No costs.



(Madan Mohan)
Member (J)

/na/



(M. P. Singh)
Vice Chairman

Copy to

- ✓ ① Shri J. Maheshwari, D.A.
for Applicant
- ✓ ② Shri M. Rao, D.A.
for respts.

Issued
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1-6-04.