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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 640 of 2001

Jabalpur, this the 6th day of April, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman

Lalla Prasad Choudhari,
Aged about 35 years, Son of
Late Deenbandhu Choudhary,
Resident of Opposit Jankidas
Mandir, Babatola, Thhkkargram
Jabalpur.

APPLICANT

(By Advocate - None)

VERSUS

1. The Union of India
Through : The Secretary,
Ministry of Defence,
New Delhi.
2. The Prescribed/Competent Authority
Ordnance Factory Division,
Kolkatta.
3. The General Manager
Ordnance Factory Khamaria
District Jabalpur.

RESPONDENTS

(By Advocate - Shri S.A. Dharmadhikari)

O R D E R (ORAL)

By filing this OA, the applicant has sought a direction to the respondents to appoint him on compassionate grounds in any suitable post.

2. None ~~was~~ appeared on behalf of the applicant.

It is an old matter of the year 2001. We are disposing of this OA by invoking the provisions of Rule 15 of Central Administrative Tribunal (procedure) Rules, 1987. Heard the learned counsel for the respondents & perused the pleadings

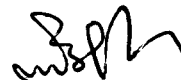
3. The brief facts of the case are that the father of the applicant was working as Labourer in the Ordnance Factory, Jabalpur and expired on 23.6.1991. The wife of the deceased Government servant had sent a representation to the respondents on 5.1.1998 ~~and~~ requesting to provide appointment on compassionate ground to her younger son. They have



considered the case of the applicant and passed an order dated 7.9.99 regretting their inability to appoint ~~to~~ the applicant ~~about appointment on~~ on compassionate grounds. While rejecting the request of the applicant ^{for} appointment on compassionate ground, it is stated by the respondents that minimum educational qualification for appointment in Government service is 5th standard pass, whereas the applicant is only 2nd standard passed. He does not, therefore, possess the minimum educational qualifications required ^{Government} ~~for~~ service. On this ground, the applicant cannot be considered for appointment on compassionate grounds.

4. I have very carefully considered the contentions of the learned counsel for the respondents and pleadings made by both the parties. I find that the father of the applicant died in the year 1991. It is only after 7 years that the applicant has approached the respondents for compassionate appointment. It is an admitted fact that the applicant is only second standard passed and therefore, does not possess the minimum educational qualifications for appointment in Government service. Moreover, the purpose for providing compassionate appointment is to grant immediate financial assistance to the family of the deceased Government servant so that the family does not become destitute. In this case 13 years have already passed after death of the deceased Government servant and the family has been able to manage its daily affairs. On that ground alone, the request of the applicant for appointment on compassionate appointment does not appear to be fair.

5. In view of the reasons recorded above, the OA is bereft of merits, ^{& is} accordingly, ~~it is~~ dismissed. No costs.


(M.P. Singh)
Vice Chairman