

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No.755 of 2002

Jabalpur, this the 24th day of February, 2003.

Hon'ble Mr. R.K. Upadhyaya, Member (Admv.)
Hon'ble Mrs. Meera Chhibber, Member (J)

Mohd. Iqbal S/o late Shri Abdul
Ghafoor, aged-, R/O.H.No.881,
Nalwan Mohalla, Zafarkhan Ki Badi,
Jabalpur.

-APPLICANT

(By Advocate- Mr. S. Akhtar)

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1. Union of India through
Secretary, Ministry of Defence,
New Delhi.
2. Commandant,
Central Ordnance Depot,
Jabalpur.

-RESPONDENTS

O R D E R (ORAL)

By R.K. Upadhyaya, Member (Admv.):

The applicant has approached this Tribunal seeking direction to the respondents to grant compassionate appointment to the applicant in relaxation of normal recruitment rules.

2. It is stated that the applicant is the son of the deceased Government servant Shri Abdul Ghafoor, who died in harness on 2.10.2000. The applicant claims that there are as many as nine members of his family, who were dependent on the deceased Government servant. Therefore, the applicant should have been provided compassionate appointment on the death of his father. According to the learned counsel of the applicant, the respondents have intimated by letter dated 20.3.2002 (Annexure A-5) that the case of the applicant was considered three times, but his case was not found suitable for compassionate appointment.

(Signature)

According to the learned counsel of the applicant, the impugned order dated 20.3.2002 is a non-speaking order in as much as it does not specify any reasons for rejection of the claim of the applicant.

3. We have considered the facts of this case and contentions raised on behalf of the applicant. It is noticed that there is no averment in this application whether the applicant is a holder of immovable property or he has any other source of income. It is also not stated whether the family of the deceased Government servant is receiving any pension or not. The details of retiral dues are also not given. There is no mention about the fact that out of five major sons of the deceased Government servant how many are having any source of income and what is extent of their income. In absence of these details, it cannot be presumed that the dependents of the deceased Government servant are living in absolute poverty and deserve immediate financial help in the shape of compassionate appointment. On the other hand, the impugned order dated 20.3.2002 clearly states that there are only limited number of vacancies available for compassionate appointment and the claimants for such compassionate appointment are many. The case of the applicant could not be considered to be most deserving and therefore the name of the applicant could not be included in the list of candidates recommended for compassionate appointment. In our view, the impugned order does give the reasons for rejection and there is nothing on record to disbelieve it. It may be noticed that the compassionate appointment cannot be claimed as a matter of right in each and every case. On

C. B. Singh

