

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

O.A. NO. 855/2002

Prathvi Raj Chouhan, s/o.
Late Rajkumar Chouhan, aged
about 23 years, R/o. Subhash
Nagar, Nai Basti, Behind P.S.
Gohalpur, Amkheda Road,
Distt. Jabalpur (M.P.).

... Applicant

Versus

1. Union of India,
Through : Secretary,
Ministry of Defence,
New Delhi.

2. Commandant,
Central Ordnance Depot,
P.B. No. 20, Jabalpur (M.P.).

... Respondents

Counsel :

None for the applicant.

Coram :

Hon'ble Shri R.K. Upadhyaya -- Member (Admnv.).

O R D E R (Oral)
(Passed on this the 30th day of January 2003)

No one is present on behalf of the applicant when the matter was called even on second time. Even on earlier date on 20/01/2003 nobody was present for the applicant. Therefore this application is disposed of on the basis of material available on record.

2. This application/ ^{is} filed claiming directions to the respondents for compassionate appointment of the applicant.

3. The applicant's father Shri Rajkumar Chouhan was working as Office Superintendent in Ordnance Factory, Khamaria, Jabalpur and died in harness on 10/12/2000. It is claimed by the applicant that he filed an application



* 2 *

dated 26/12/2000 for compassionate appointment. The applicant's mother also approached the respondents for compassionate appointment and she was asked to submit particulars and certain/details as per letter of respondent No. 2, dated 11/01/2001 (Annexure A/3). Inspite of the submissions of all the details, it is claimed by the applicant that no compassionate appointment was offered. Subsequently the respondent No. 2 has informed the mother of the applicant that the case of the applicant was considered by the committee for compassionate appointment, but he was not found meritorious enough on account of several/claims for the offer of compassionate appointment. However the respondent No. 2 has stated in the letter dated 25/01/2002 that the case will be placed for reconsideration in the meeting to be held at Agra for second time and if there are vacancies meant for being filled by compassionate appointment and if the applicant's case is meritorious enough, he will be called accordingly.

4. After considering the material available on record it is felt that this application is pre-mature in as much as the respondent No. 2 has informed the applicant that the case of the applicant was likely to be re-considered in the next committee meeting at Agra. There is nothing ~~is seen~~ placed by the applicant that such meeting has been held. There are other aspects available on record which also do not make it a case where this Tribunal should interfere at this stage. As per letter dated 29/05/2001 (Annexure A/5) the family of the deceased Government servant has received gratuity of Rs. 3,45,791/- on 15/05/2001. In addition there are other payment to be received by the members of the family of the deceased Government servant.

13/3/2002

* 3 *

The applicant's mother by affidavit dated 22/01/2001 had stated that she has a residential house left by the deceased Government servant in which the family resided. In view of these facts, the interference of this Tribunal at this stage was not called for.

5. While this order was being dictated Shri Manish Tiwari learned counsel for the applicant ~~was~~ in the Court Room and stated that he has filed certain documents for taking on record. From perusal of his personal copy of those alleged documents, it is seen that wrong OA No. was mentioned and therefore the same has not been placed on the record. The learned counsel further informed that by letter dated 19th March 2002 the applicant's mother has been informed that the case of the applicant for compassionate appointment for the 3rd and last time was considered by committee at COD, Agra, but on account of availability of limited number of vacancies and many more/ deserving claimants, he could not be offered compassionate appointment.

6. In view of the facts stated earlier this Tribunal does not find any justification to interfere with the order of the respondents. Therefore this application is rejected at the admission stage itself.

(In 3rd court)
(R.K. UPADHYAYA)
MEMBER (A)

प्रांकन सं ओ/व्हा.....जबलपुर, दि.....

प्रतिलिपि द्वारा दिइता:-

- (1) सचिव, उच्च न्याय, राज न्याय विभाग, जबलपुर
- (2) उच्च न्याय, राज न्याय विभाग, जबलपुर
- (3) राजनीति विभाग, राज न्याय विभाग, जबलपुर
- (4) अधिकारी, राज्यपाल, जबलपुर राज्यपाल

सूचना एवं आवश्यक कार्यवाली द्वा

P. S. Tiwari
उप राजस्वार्थ
1/10/02

Issued
04/03
28