

16.04.2017

Mr. M. S. Gurus, Counsel for applicant
Mr. T. P. Sharma, Counsel for respondents

Heard. The OA is dismissed by a separate order, for the reasons recorded therein.

J. P. Shukla
(J. P. Shukla)
M(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

Jaipur, the 10th day of April , 2007

ORIGINAL APPLICATION NO. 470/2005

CORAM:

HON'BLE MR. J.P. SHUKLA, ADMINISTRATIVE MEMBER

Krishan Kumar Gurjar son of Late Shri Ramji Lal, aged about 22 years, resident of Kharkhara, Post Jasrapur, Tehsil Khetri, District Jhunjhunu.

By Advocate: Mr. M.S. Gurjar

.....Applicant

Versus

1. The Director General, Geological Survey of India, 27, J.L. Nehru Road, Kolkata.
2. The Dy. Director General, Geological Survey of India, Western Region, 15-16, Jhalana Doongri, Jaipur.

By Advocate: Mr. Tej Prakash Sharma

.....Respondents

ORDER (ORAL)

The applicant has filed this OA assailing the order dated 27.12.2004 (Annexure A/1) whereby the case of the applicant for considering his case for appointment on compassionate grounds has been rejected by the respondents on the ground that the applicant's case is more than three years old.

2. It was submitted by the respondents that the case of the applicant was recommended by the Compassionate Appointment Committee for giving him appointment on compassionate grounds but as there was ban on direct recruitment in Group 'C' & 'D' posts vide CHQ letter dated 18.08.2003, the case of the applicant could not be considered for appointment on compassionate grounds. It was further submitted by the respondents that the case of the applicant for compassionate appointment was reviewed in terms of DOPT's OM dated 05.05.2003 and on crossing of time limit & approval

Sumit

of the Competent Authority, the case of the applicant has been closed. Learned counsel for the respondents also produced the copy of the letter dated 05.05.2003, which has been taken on record. Para No. 3 of which reads as under:-

“3. The maximum time a person's name can be kept under consideration for offering Compassionate Appointment will be three years, subject to the condition that the prescribed Committee has reviewed and certified the penurious condition of the applicant at the end of the first and the second year. After three years, if compassionate appointment is not possible to be offered to the Applicant, his case will be finally closed, and will not be considered again.”

3. In the facts & circumstances of the case, this Tribunal would not like to interfere in the impugned order dated 27.12.2004 (Annexure A/1), passed by the respondents. Hence this OA is dismissed with no order as to costs.


(J.P. SHUKLA)
MEMBER (A)

AHQ