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CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 31.01.2012

OA No. 165/2011

Mr. Mahendra Kuldeep, counsel for applicant.
Mr. Mukesh Agarwal, counsel for respondents.

Heard learned counsel for the parties.

O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

K. S. Rathore

(JUSTICE K.S. RATHORE)
MEMBER (J)

Kumawat

Sharma

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 165/2011

DATE OF ORDER: 31.01.2012

CORAM

HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER

Babulal Verma, aged 19 years, S/o late Shri Hanuman Sahay Mason, Plot No. 10/498, Krishna Colony, Near Samsan Ghat, Ragiron Ka Mohalla, Jhotwara, Jaipur.

...Applicant
Mr. Mahendra Kuldeep, counsel for applicant.

VERSUS

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi.
2. Chief Engineer, Jaipur Zone, Military Engineering Services, Power House Road, Bani Park, Jaipur.
3. Garrison Engineer, Military Engineering Services, Khatipura Road, Jaipur.

...Respondents

Mr. Mukesh Agarwal, counsel for respondents.

ORDER (ORAL)

Having heard the rival submissions made on behalf of the respective parties and upon careful perusal of the speaking order dated 17th September, 2010 (Annexure A/1), it reveals that the applicant was informed to intimate the Headquarters for any change in the financial and family status before the date of next quarterly Board. It is also clear from the Annexure A/1 that the Board of Officers has considered the case of the applicant along with the other candidates for appointment on compassionate grounds, but due to non-availability of vacancy during the particular quarter, his case has not been recommended by the Board of Officers for appointment on compassionate grounds.



2. Learned counsel appearing for the respondents submitted at the bar that still the case of the applicant for appointment on compassionate grounds is under consideration and as and when the vacancy arises, the candidature of the applicant will be considered.
3. Having considered the submissions made on behalf of the respondents and having considered the reply submitted by the respondents, I am of the view that the respondents be directed to consider the case of the applicant in the next quarterly Board sympathetically for appointment on compassionate ground as per rules.
4. Consequently, the respondents are directed to consider the case of the applicant sympathetically for appointment on compassionate grounds in the next quarterly Board as per rules.
5. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application.
6. With these observations and directions, the Original Application is disposed of with no order as to costs.

K.S.Rathore
(JUSTICE K.S. RATHORE)
MEMBER (J)