

CENTRAL ADMINISTRATIVE TRIBUNAL,  
CHANDIGARH BENCH

O.A.No.060/00683/2014

Decided on: 12.08.2014

CORAM: **HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**  
**HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A)**

Harinder Singh son of Late Shri Gurdev Singh,  
aged 38 years,  
R/o Village Sangatpura,  
Tehsil Kharar, District S.A.S. Nagar,  
Punjab.

Applicant

By: Mr. V.K. Sharma, Advocate.

Versus

1. Union of India through the Secretary, Government of India, Ministry of Foreign Affairs, New Delhi.
2. Joint Secretary (PSP) & Chief Passport Officer, Ministry of External Affairs, Patiala House Annexe, Tilak Marg, New Delhi.
3. Regional Passport Officer, Govt., of India, Ministry of External Affairs, Regional passport Office, SCO 28-32, Sector 34-A, Chandigarh.

By: None.

Respondents

**ORDER**  
**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**

1. The applicant has filed this Original Application under section 19 of the Administrative Tribunals Act, 1985 for issuance of a direction to the respondents to consider his case for appointment on compassionate ground with due application of mind as the entire family was dependent upon the deceased employee and offer him appointment on compassionate grounds so that family may be able to pull on, within a fixed time frame.

2. Late Sh. Gurdev Singh, father of the applicant, had died in harness on 8.11.2011 leaving behind widow and two sons including the applicant. As per the averments made in the Original Application, the representation submitted by the applicant for appointment on compassionate appointment was duly forwarded by the Regional Passport Officer, Chandigarh, vide letter dated 22.12.2012 (A-2) to the Joint Secretary (PSP) & Chief Passport Officer, Ministry of External Affairs, Patiala House Annexe, Tilak Marg, New Delhi. Mr. Sharma states that despite repeated requests of the applicant, the respondents have not taken any view in the matter.

3. Learned counsel for the applicant submits that the applicant would be satisfied if the O.A. is disposed of by

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issuance of a direction to the respondents to consider the case of the applicant and take a view thereon as per rules and law within a fixed time frame.

4. For the order which we propose to pass there is no need to issue any notice to the respondents and call for their reply as we are simply asking them to take a view on the pending representation, within a fixed time frame and no prejudice would be caused to them more so when a litigant is ordinarily expected to avail of departmental remedy provided under section 20 of the Administrative Tribunals Act, 1985 and if a representation is filed in that behalf, the authorities are expected to take a view thereon and if they failed to do so, a litigant can approach this Tribunal after waiting for six months.

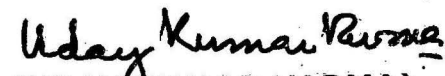
5. In view of the fact that the applicant has already represented the respondents from time to time and issue is pending consideration at the hands of the respondents for quite some time, therefore, without commenting upon anything on merits of the case, we dispose of this Original Application with a direction to the respondents in general and Respondent No. 2 in particular, to take a view on the pending claim of the applicant by passing a speaking and reasoned

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order in accordance with law and rules within a period of two month from the date of receipt of a certified copy of this order, under intimation to the applicant.

6. No costs.

  
(SANJEEV KAUSHIK)  
MEMBER (J)

  
(UDAY KUMAR VARMA)  
MEMBER (A)

Place: Chandigarh  
Dated: 12.08.2014

HC\*