

CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH

O.A.No.060/00677/2014

Decided on : 11.08.2014

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

Baljinder Singh S/o
Late Sh. Raghubir Singh,
Village Issarpur,
PO and Tehsil Dera Bassi,
District Mohali,
Punjab.

Applicant

By : Mr. A.D.S. Bal, Advocate.

Versus

1. Union of India through Secretary to Govt. of India,
Ministry of Defence, New Delhi.
2. The Commanding Officer, HQ PH & HP (1) GS (SD) Pin-
133001 C/o 56 APO.
3. The Commandant, 359 COY ASC (Sup), Pin-905359 c/o
56 APO.

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 claim for compassionate appointment under the Govt. of India Policy, on some suitable posts consonant to his qualification.

2. In support of his claim, learned counsel for the applicant submitted that the applicant submitted an application for considering his case for appointment on compassionate grounds, in response to which he was called upon to furnish certain information / documents, which was complied with by the applicant. Finding no response, the applicant got issued a legal notice dated 14.4.2014 (P-4) for taking a decision in the matter but despite thereof, the respondents are yet to take a 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 issuance of a direction to the respondents to consider the legal notice served on behalf of the applicant and take a view thereon as per rules and law.

4. For the order which we propose to pass there is no need to issue any notice to the respondents and call for their

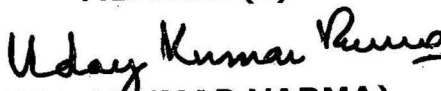
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reply as we are simply asking them to take a view on the pending legal notice aforesaid, within a fixed time frame and no prejudice would be caused to them more so when a litigant is ordinarily expected to avail of departmental remedy provided under 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.

5. In view of the above and without commenting upon anything on merits of the case, we dispose of this Original Application with a direction to the Competent Authority amongst the respondents to take a view on the legal notice, Annexure P-4, by passing a speaking and reasoned order in accordance with law and rules within a period of two months 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: 11.08.2014

HC*