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**CENTRAL ADMINISTRATIVE TRIBUNAL,
CHANDIGARH BENCH,
CHANDIGARH.**

O.A.No.060/00361/2014

Date of Decision : 28.05.2014

**CORAM: HON'BLE MRS. RAJWANT SANDHU, ADMINISTRATIVE MEMBER
HON'BLE DR. BRAHM A. AGRAWAL, JUDICIAL MEMBER**

Ishu son of late Sh. Sewa Ram, age 27 years, resident of Village and Post Office Kinpura, District Karnal, Haryana.

Applicant

Versus

1. Union of India, through Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. The Commissioner of Income Tax-II-cum-Chairman, Committee for Appointment on Compassionate Grounds, Bassi Building, Sector 17-A, Chandigarh.
3. The Deputy Commissioner of Income Tax, Central Circle, Karnal, Haryana.

Respondents

Present: Mr. K.B.Sharma, proxy for Mr. D.R.Sharma, counsel for the applicant
Mr. K.K.Thakur, counsel for the respondents

ORDER
HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)

This Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:-

- "8 (ii) That the respondents be directed to consider the applicant's case for job on compassionate grounds in place of his brother.
- (iii) That the applicant be held entitled all consequential benefits / reliefs."

As —

2. Brief facts of the matter are that the applicant's father, one Sh. Sewa Ram, was working as Notice Server in the Office of Deputy Commissioner of Income Tax, Central Circle, Karnal when he expired on 08.01.2004 leaving behind a minor daughter, Ms. Reshma Rani, and major son Sh. Pardeep Kumar. Sh. Sewa Ram was the only earning member of the family and the mother of the applicant had already expired on 31.08.2002. Initially, the brother of the applicant, Pardeep Kumar applied for appointment on compassionate grounds but later he requested respondents no.2 and 3 that due to domestic problems, he was not in a position to work with the Department and that appointment on compassionate grounds be given to his younger brother namely the applicant Sh. Ishu. In spite of correspondence in the matter and the applicant having submitted his application for job on compassionate grounds on 29.04.2013, the respondents had not taken any action in this regard. Hence this OA.

3. When the matter came up for consideration today, learned proxy counsel for the applicant stated that he would be satisfied if time bound directions were to be given to respondents no.2 and 3 to decide the matter regarding appointment of the applicant on compassionate grounds. Mr. K.K.Thakur, learned counsel for the respondents does not object to this prayer of the applicant's counsel. *As* _____

4. In view of the submissions of the learned counsel for the parties, the present OA is disposed of with directions to respondents no.2 and 3 to consider and decide the case of the applicant Sh. Ishu for appointment on compassionate grounds within a period of 60 days from the date of receipt of a certified copy of this order and decision in this regard may also be conveyed to the applicant.

5. Needless to say, we have not expressed any view on the merits of the claim of the applicant for appointment on compassionate grounds. No costs.



(RAJWANT SANDHU)
ADMINISTRATIVE MEMBER.



(DR. BRAHM A. AGRAWAL)
JUDICIAL MEMBER

Place: Chandigarh
Dated: 28.05.2014
SV: