

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Dated : This the **02nd** day of **November** 2018

Original Application No. 330/00251 of 2017

Hon'ble Mr. Rakesh Sagar Jain, Member – J

Umang Chaudhary, D/o late Rajveer Chaudhary, R/o Village Nona, Post Office, Mansoorpur,, Tehsil : Kathauli, District Muzaffar Nagar.

. . .Applicant

By Adv : Shri Vinod Kumar

V E R S U S

1. The Union of India, Through its Secretary, Ministry of Telecom Affairs, Government of India, New Delhi.
2. Chief General Manager, Bharat Sanchar Nigam Limited, U.P. (W), Meerut.
3. Assistant General Manager, IInd, Meerut Division, Meerut.
4. Assistant General Manager, Ist, Meerut Division, Meerut.

. . .Respondents

By Adv: Shri D.S. Shukla and Shri S.K. Mishra

O R D E R

Heard Vinod Kumar, learned counsel for the applicant, Shri D.S. Shukla learned counsel for respondent No. 1 and Shri S.K. Mishra, learned counsel for the respondents No 2 to 4.

2. The applicant Ms. Umang Chaudhary, has filed an application for compassionate appointment after the death of her mother, while in service, on 30.10.1999. It has been averred in the OA that vide impugned order dated 11.01.2017 (Annexure A-1A) her applicant seeking compassionate appointment has been rejected by the respondent No. 2 / competent authority without following rules and regulations governing points which are to be given to her while considering her application for compassionate appointment. In this regard learned counsel for the applicant has taken me through the impugned order dated 11.01.2017 and

submitted that the respondents have not given any points for Sl. No. 4, 6 and 7, which is highly irregular and needs to be corrected.

3. On the other hand learned counsel for the respondents submitted that the impugned order has been passed in accordance with the rules and regulations governing the case of compassionate appointment for which the OA should be dismissed.

4. Perusal of the impugned order shows that the respondents have not given any point at Sl. No. 4, 6 and 7 which ought to have been done while considering the case the case of the applicant for compassionate appointment. This irregularity needs correction.

5. Accordingly, the impugned order dated 11.01.2017 passed by respondent No. 2 / competent authority is set aside. Respondent No. 2 / competent authority is directed to re-consider the case of the applicant for compassionate appointment specifically on the points at Sl. No. 4, 6 and 7 as mentioned in the impugned order for which no points have been given. This exercise shall be completed by respondent No. 2 / competent authority within a period of two months by passing reasoned and speaking order under intimation to the applicant, from the date of receipt of a certified copy of this order and after giving due opportunity to the applicant of being heard, if the applicant wishes she is at liberty to file additional documents in support of her case. It is made clear that no observations have been made on merit of case by this Tribunal and the matter shall be decided by the competent authority in accordance with rules.

6. The OA is disposed of as above. There is no order as to costs.

(Rakesh Sagar Jain)
Member (J)

/pc/