

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 335/2014

New Delhi this the 24th day of September, 2015

Hon'ble Shri A.K.Bhardwaj, Member (J)

Sunny
S/o Late Shri Ramesh Chander,
Village Sadrana,
Distt. Gurgaon, Haryana. ... Applicant

(By Advocate Shri R.K.Shukla)

VERSUS

1. Government of NCT of Delhi,
Through its Chief Secretary
Delhi Secretariat, IP Estate, New Delhi.
2. The Joint Secretary,
Government of NCT of Delhi,
Services-II Department, 5th Level,
A-Wing, Delhi Secretariat,
New Delhi.
3. The Director,
Department of Delhi Archive
Institutional Area, 18-A,
Satsang Vihar Marg, New Delhi-110067
4. The Deputy Director,
Department of Delhi Archive
Institutional Area, 18-A,
Satsang Vihar Marg,
New Delhi-110067 ... Respondents

(Present :None)

O R D E R (ORAL)

The prayer made in the present OA filed under Section 19 of Administrative Tribunals Act, 1985 is for issuance of direction to respondents to expedite the consideration of the applicant for employment on compassionate ground. It is seen that in letter No. 16/79/ 2013 /S-II/ 4626-4785 dated 20.12.2013, the respondents themselves have undertaken to consider the case of applicant in accordance with the DOPT OM

No. 14014/6/95/Estt.(D) dated 26.09.1995. Such stand has again been taken by them in letter No.16 (75)/2014/S-II/3791 dated 20.10.2014 which read thus:-

“The Govt. of NCT of Delhi conveys its condolences to the bereaved family of LT Sh. Ramesh Chander.

Further, I am directed to inform that the Screening Committee carefully considered your case for appointment on Compassionate Grounds in its Meeting held on 09-11/07/2014, 06/08/2014 & 18/09/2014.

The very objective of Compassionate Appointment is to relieve the family of the deceased government servant from financial destitution. The Govt. of India vide DOPT OM No. 14014/6/95/Estt.(D) dated 26.09.1995 restricted appointment on compassionate grounds upto a maximum of 5% of the vacancies available for the direct recruitment quota in any Group ‘C’ or ‘D’ post.

However, the complete details viz pension being received, terminal benefits liabilities etc., were considered by the Screening Committee and did not recommend the case.

However, the case would be considered again in accordance with DOPT OM dated 26.07.2012, 16/01/2013, 30/05/2013 and this Department circular dated 16/08/2013.”

It is seen from the averment made in para 4.1. of the OA, that the deceased Government servant left behind large number of dependents including three unmarried daughter. In terms of the stand taken by them in the aforementioned communications, the respondents should consider the case of applicant for compassionate appointment with due regard to the averment made in para 4.1 of the Original Application against first available vacancy within 5% ceiling. No cost.

**(A.K.Bhardwaj)
Member (J)**