

Central Administrative Tribunal
Principal Bench

OA No.2547/2017

New Delhi, this the 31st day of July, 2017

Hon'ble Mrs. Jasmine Ahmed, Member (J)

Shri Sunder Pal s/o late Sh. Sri Chand,
Aged 30 years,
R/o Vill. Masouta, Post Office Chitti,
District Bullandshahar (UP). ...Applicant

(By Advocate: Sh. Manjeet Singh Reen)

Versus

1. Delhi Transport Corporation through
The Chairman-cum-MD,
Delhi Transport Corporation,
DTC Hqrs, IP Estate, New Delhi – 110 002.
2. The Deputy Manager (Personnel),
DTC, DTC Hqrs., IP Estate,
New Delhi – 110 002. ...Respondents

ORDER (ORAL)

Factual matrix of the case are that the father of the applicant Shri Chand (Token No.14160), who was the employee of the respondents, died in harness on 08.02.1995 while working as Driver in Seemapuri Depot.

The respondents vide letter dated 17.11.2005 informed the mother of the applicant to submit certain documents for compassionate appointment. The respondents vide order dated 19.05.2010 informed the applicant about his selection as a Conductor on short term contract for a period of 89 days with a direction to get the originals of the documents submitted by him checked/verified from the

concerned authorities. After verification of documents, the applicant was directed by the respondents vide order dated 21.05.2010 to appear before the Medical Board for medical examination.

2. It is the contention of the learned counsel for the applicant the applicant had submitted a representation dated 22.01.2010 to the Medical Superintendent, Safdarjung Hospital, New Delhi for providing him handicap percentage of his left eye at the earliest but it was never provided to him. In pursuance to the above letter, the applicant vide letter dated 15.02.2010 was directed to meet Dr. Rohini Gharde in the Eye OPD on any working Monday/Wednesday at 9.30 a.m. The respondents, subject to medical fitness to be adjudged by the DTC Medical Board, issued the offer of appointment to the applicant on short-term contract basis vide order dated 07.05.2010. The counsel further submits that it is to the dismay of the applicant that the respondents, vide order dated 28.07.2011, rejected the claim of the applicant for compassionate appointment to the post of Conductor on the ground that the Medical Board declared him unfit for the post of Conductor.

3. Being aggrieved by the action of the respondent, the applicant submitted a number of representations dated

13.03.2014, 15.12.2014, 16.05.2015 and 24.05.2016 to the respondents requesting them to consider his case of compassionate appointment on humanitarian grounds for any other light duty post, but any of his representations were not replied by the respondents. Learned counsel for the applicant further submits that the applicant lastly filed yet another representation dated 15.04.2017 with the same request that he may be appointed on compassionate grounds on any of the light duty posts but the same is also pending consideration with the respondents.

4. Learned counsel for the applicant states that the interest of justice would be met if a time bound direction is given to the respondents to dispose of applicant's pending representations especially the latest representation dated 15.04.2017 by passing a detailed, speaking and reasoned order.

5. In view of the limited prayer of the learned counsel for the applicant, as recorded in para no.4 above, and without going into the merits of the case, the instant OA is disposed of at the admission stage itself with a direction to the respondents to dispose of the pending representations of the applicant especially the one dated 15.04.2017 by passing a detailed, reasoned and speaking order within a period of three months from the date of receipt of certified

copy of this order taking into account the fact that the applicant is claiming appointment on compassionate grounds. No costs.

(Jasmine Ahmed)
Member (J)

/Ahuja/