

**CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench, New Delhi**

OA No.1849/2014

New Delhi this the 9th day of September, 2016

Hon'ble Mr. V. Ajay Kumar, Member (J)

Manish Kumar
Age 31, appoingment
S/o Late Shri Raj Pal
R/o Manana Road Phatak
Rajeev Nagar, (Line Park)
Samalkha, Distt. Panipat
Haryana.

- Applicant

(By Advocate: Shri R.K.Shukla)

VERSUS

Union of India through

1. The Secretary
Ministry of Urban Development
Nirman Bhawan
New Delhi.
2. The Director General of Works
CPWD, Nirman Bhawan
New Delhi.
3. The Chief Engineer
New Delhi Region-5
CPWD, Vidyut Bhawan
New Delhi.
4. The Executive Engineer (Elect.)
Govt. of India Coordination (Elect.)
CPWD, East Division-I, Level-7
R.K.Puram, New Delhi.
5. The Deputy Director General (HQ)
North Zone
Office of Special Director General
North Zone, CPWD
100, Sewa Bhawan, R.K.Puram
New Delhi – 110 006.

-Respondents

(By Advocates: Shri Ashok Kumar)

O R D E R (Oral)**Mr. V. Ajay Kumar, Member (J):**

Heard both sides.

2. The applicant's claim, for consideration of his case for appointment on compassionate ground, was rejected by the respondents by Annexure A-1 dated 23.04.2014 on the sole ground that the applicant is a married son of the deceased employee.
3. Today, the learned counsel for the respondents produced a copy of Office Memorandum dated 05.09.2016 of the DOP&T whereunder it was clarified that even a married son of deceased is entitled for compassionate appointment, if he is otherwise eligible and fulfils the criteria laid down in the DOP&T's OM dated 16.01.2013, and it was further stated that the earlier instructions, contrary to the same are also stand withdrawn.
4. In the circumstances and in view of the aforesaid OM, the OA is disposed of by directing the respondents to re-consider the case of the applicant in terms of the latest OM of the DOP&T dated 05.09.2016, and to pass a fresh reasoned and speaking order within 90 days from the date of receipt of a copy of this order. No costs.

**(V. Ajay Kumar)
Member (J)**

/uma/