

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

OA No.3037/2015

New Delhi this the 12th day of September, 2016

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

Shri Arvind
Aged 23 years (for compassionate Appointment)
S/o Shri Ishwar Singh
R/o H.No.51, Mongolpuri Kalan
Delhi.

- Applicant

(By Advocate:Shri C.S.Parasher)

VERSUS

Govt. of NCT of Delhi through

1. The Director
Directorate of Education
Civil Lines
Old Secretariat
Delhi – 110 054.

2. Govt. of NCT of Delhi through
Secretary Education
5, Shyamnath Marg
Delhi.

-Respondents

(By Advocate:Shri Vijay Pandita)

O R D E R (Oral)

Mr. V. Ajay Kumar, Member (J):

Heard both sides.

2. The present OA has been filed by one of the sons of late Smt. Krishna Devi, who died in harness while working as Sweeper on 30.05.2011, having aggrieved by the action of the respondents in not appointing him in any suitable vacancy, on compassionate ground.

3. The learned counsel for the applicant submits that though the respondents considered the case of the applicant, they have not appointed him, on compassionate ground, till date.

4. It is further submitted that though the applicant made an application under RTI Act, the respondents have not given him the Minutes of the meetings of the Committee wherein the comparative merit of various candidates including the case of the applicant was dealt with.

5. On the other hand, the learned counsel for the respondents submits that since they have been considering the case of the applicant, as per rules along with other eligible candidates within the limit of 5% vacancies meant for the appointments on compassionate ground, there is no illegality and irregularity in the action of the respondents.

6. Since, it is an admitted case of the applicant that the respondents have been considering his case and in view of his less merit he could not be appointed and that in view of the stand of the respondents that they continue to consider the case of the applicant along with other eligible candidates, as per rules, we do not find any illegality in the action of the respondents.

7. However, the ends of justice would be met, if the OA is disposed of, by directing the respondents, to consider the case of the applicant, as admitted by them again in future, as per Rules along with other eligible candidates. It is also made clear that this order shall not preclude the applicant from availing his remedies, as per law, if any of his applications/appeals under RTI Act are not validly considered by the respondents. No costs.

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

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