

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 4048/2015

This the 04th day of October, 2016

Hon'ble Mr. P.K. Basu, Member (A)

Madan Pal
S/o Late Sh. Udai Singh
R/o Village Jaunchana,
Post Mohamadpur, Jadon,
Distt. Gautambudh Nagar,
Uttar Pradesh Applicant

(By Advocate: Mr. R.K. Shukla)

VERSUS

1. The Govt. of NCT of Delhi
Through the Chief Secretary
Delhi Secretariat,
I.P. Estate, New Delhi
2. The Joint Secretary (Services)
Govt. of NCT of Delhi
Service-II, Department,
5th Level, A-Wing, Delhi Secretariat
New Delhi
3. The Superintendent (Services-II)
Govt. of NCT of Delhi
Delhi Secretariat,
5th Level, A-Wing, Delhi Secretariat
New Delhi
4. The Superintendent
Department of Revenue
Govt. of NCT of Delhi
(Delhi Administration Branch)
5, Sham Nath Marg,
Delhi Respondents

(By advocate: Mr. Vijay Pandita)

ORDER (ORAL)

The applicant had sought compassionate appointment which was rejected only on the ground that he was a married son. Now the department has issued Office Memorandum dated 05.09.2016, clarifying that even married sons are entitled. Para 4 of this Office Memorandum is as follows:-

“The cases of compassionate appointment rejected solely on the grounds of marital status in terms of FAQ NO. 13 dated 30.05.2013 during the intervening period i.e. w.e.f. 30.05.2013 to 25.02.2015 in respect of married son may be reopened/reconsidered against vacancies occurring after issue of this OM.”

2. Admittedly, the case of the applicant was rejected solely on the ground of marital status during the intervening period i.e. 30.05.2013 to 25.02.2015.
3. In view of the above, the case of the applicant is squarely covered by OM dated 05.06.2016. Therefore, the order dated 10.08.2015 and 20.10.2014 are quashed and set aside.
4. The OA is, therefore, disposed of with the direction to the respondents to consider the case of the applicant for compassionate appointment as per rules, in the next screening committee.

**(P.K. Basu)
Member (A)**

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