

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No.149/2017
MA No. 150/2017

New Delhi this the 4th day of October, 2018

Hon'ble Ms. Nita Chowdhury, Member (A)

1. Kapil Dev Saini,
Aged about 24 years,
s/o late Sh. Shiv Kumar,
(Ex-Wireman CPWD New Delhi)
2. Smt. Roshni,
Aged about 51 years,
w/o late Shri Shiv Kumar,
(Ex-Wireman CPWD New Delhi)

Both resident of: H.No.582/6
Ambedkar Nagar, Haiderpur,
Delhi-110088

- Applicants

(By Advocate: Mr. HP Chakravorty with Mr. PS Khare)

VERSUS

1. Union of India through
The Director General,
Central Public Works Department,
(CPWD), Nirman Bhawan, New Delhi-110001
2. The Chief Engineer,
New Delhi Zone-II
CPWD, Vidyut Bhawan,
Shanker Market, New Delhi-110001 - Respondents

(By Advocate: Mr. Hanu Bhaskar)

ORDER (Oral)

When the matter is taken up for hearing, it is found that the applicant had submitted his application for compassionate appointment on 30.01.2015 and his claim has not been considered till date. He has, thus, filed this Original Application (OA), seeking the following reliefs:-

- “8.1 to allow the OA and direct the respondents to consider and release the compassionate appointment in favour of the petitioner on any Group ‘C’ post under the Scheme of compassionate appointment without further delay; and
- 8.2 to pass any such other and further order or direction, as the Hon’ble Tribunal, may deem just and proper as per facts and circumstances of the case besides the cost and expenses of present litigation.”

2. The applicant, in his OA, is able to show that the respondents received his initial application and even responded to the same vide their letter dated 21.01.2015 in which they had stated that *“you are requested that since Dy. DG Coord (N-Z) has issued notification of vacancies of LDCs. Therefore, please send above mentioned documents and Affidavit at the earliest to this office so that your case file alongwith requisite information be sent to coordination office.”* Thereafter the applicant sent his reply on 30.01.2015 itself but it is found that no action has been taken by the respondents in this regard.

3. MA No. 150/2017 for joining together in a single application is not found relevant as number of petitioners cannot be considered against the compassionate appointment to be given in the case of death of an employee. The mother herself asked the respondents to consider her son – applicant of this OA for compassionate appointment and as such, there is no cause for considering the case of more than one person on the death of an employee. Accordingly, no ground for allowing this MA is made out and the same is accordingly dismissed.

4. From the record, it is also clear that the respondents have not discharged their duties as they have not considered the claim of the applicant for compassionate appointment. Accordingly, the respondents are directed to consider the claim of the applicant for appointment on compassionate grounds in the next meeting of the Compassionate Appointment Committee and inform the applicant of the decision taken by them within one month thereafter. With these directions, the OA stands disposed of. It is made clear that the respondents will not raise the plea of inadequacy of documents with the applicant and in case there is any missing document required for consideration of the case of compassionate appointment, they will contact the applicant and make sure that they obtain the same from him within 4 weeks. No order as to costs.

(Nita Chowdhury)
Member (A)

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