

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

(CIRCUIT BENCH AT SHIMLA)

...

ORIGINAL APPLICATION NO. 063/ 00585/2018

Shimla, this the 18th day of May, 2018

...

CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)

Sandeep Kumar son of late Sh. Lachhi Ram, Resident of Ekta Niwas, Dabri Line, Phagli, Shimla-4, H.P. age about 31 years Group-D.

....APPLICANT

(Argued by: Shri Rajesh Kashyap proxy for Mr. Virender Bali, Advocate)

VERSUS

1. Union of India, Ministry of Housing of Urban Affairs, Central Public Works Department through its Secretary.
2. Chief Engineer (NZ-1), Central Public Works Department, Kendriya Sadan, Sector 9-A, Chandigarh 160009.
3. The Executive Engineer, Central Division No. 1, Central Public Works Department, Cannedy Cottege, Shimla-4.

....RESPONDENTS

(By Advocate: Shri Anshul Bansal)

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J)

Present Original Application (O.A.), has been filed seeking direction from this Tribunal to the respondents to provide employment to him on compassionate grounds and further not to appoint any person on compassionate

ground from the subsequent list until such list of 2005 is not exhausted.

2. Heard Mr. Virender Bali, learned counsel for applicant, who very fairly submitted that case of the applicant for appointment on compassionate ground, on demise of his father, way back on 10.05. 2005 is pending consideration since 2006. His request was turned down by the respondents on the plea that his case was not found deserving than other candidates to whom appointment has been issued and the same was closed. Subsequent to that the applicant approached this Tribunal, wherein he prayed that the cap of three years for compassionate appointment has since been done away, therefore, let his case be considered for appointment on the basis of available instructions. He very fairly submitted that as per order of this Tribunal, though the respondents have asked for some documents from applicant, but till date his case has not finally settled. He argues that almost 13 years have elapsed, the respondents have not taken a view whether the applicant is entitled for grant of compassionate appointment or not. Therefore, he made a statement that let direction be issued to competent authority to decide his claim for appointment in a time-bound manner in accordance with the latest policy and law on the subject.

3. Issue notice to respondents.

4. Shri Anshul Bansal, Advocate, present in Court, accepts notice on their behalf and did not object for disposal of O.A. in the requested manner.

5. Considering the ad-idem between the parties, coupled with fact as enumerated above, I deem it appropriate to dispose of this O.A., at this stage, with a direction to competent authority amongst the respondents to take a decision on the claim of applicant expeditiously, in accordance with law and latest policy on the subject, preferably within 2 months from the date of receipt of certified copy of this order by passing a reasoned and speaking order and communicate the same to the applicant.

**(SANJEEV KAUSHIK)
MEMBER (J)**

Dated:18.05.2018

‘SK’



