

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTINGS:GWALIOR

Original Application No.202/00491/2018

Gwalior, this Thursday, the 25th day of October, 2018

HON'BLE SHRI R. RAMANUJAM, ADMINISTRATIVE MEMBER
HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Harish Mahore
S/o Late Shri Lalaram Mahore
Aged 30 years,
Occupation Unemployed
R/o Behind New High Court,
Gwalior M.P.
PIN Code 474001 Ph No.9425756386

-Applicant

(By Advocate –**Shri Nirmal Sharma**)

V e r s u s

1. Bharat Sanchar Nigam Limited through
Its Chairman Cum Managing Director
Janpath, New Delhi PIN Code 110001

2. Chief General Manager
Bharat Sanchar Nigam Limited
M.P. Circle Bhopal 462015

3. Assistant General Manager
Bharat Sanchar Nigam Limited
M.P. Circle Bhopal 462015

- Respondents

(By Advocate –**Shri Rajendra Bhargava**)

ORDER (ORAL)**By R. Ramanujam, AM:-**

Heard. The applicant has filed this O.A. seeking the following reliefs:-

“8.1 Order impugned Annexure A/1 may kindly be quashed.

8.2 Respondents may kindly be directed to consider the case of the applicant for compassionate appointment on suitable post as per his eligibility and qualification within a fixed time frame.

Any other order which this Hon’ble Tribunal deems fit in the facts and circumstances of the case may also kindly be granted.”

2. It is submitted that the applicant had been denied compassionate appointment on the ground that he had scored aggregate merit points of 50 only against a cut off of 55 for the relevant year. In the reply submitted by the respondents, no breakup of the relative merit points has been given and, therefore, it cannot be presumed that merit points had been awarded against individual criteria correctly. Accordingly, the respondents may be directed to disclose the merit points granted to the applicant under individual criteria.

3. Learned counsel for the respondents would admit that the breakup of merit points had not been given in the reply. However, he produces a copy of a statement containing the breakup of points

in respect of the applicant which clearly shows that the applicant had been awarded 50 merit points in the aggregate and failed to score the minimum.

4. It is further submitted that in Serial No.6 of the policy guidelines dated 27.06.2007 for grant of appointment on compassionate ground circulated by the respondents, it is stated that any appeal for re-consideration of an already rejected case would also be considered according to the weightage point system. If in any appeal case, the net points came to 55 or above, the complete case along with the check-list could be sent to the Corporate Office for a decision. Accordingly, the applicant is at liberty to point out under which individual criteria he had been under assessed and file an appeal for reconsideration of his case, it is urged.

5. Learned counsel for the applicant would submit that the applicant is not in possession of a copy of his application and proposed to obtain the same by filing an application before the competent authority under the RTI Act for which sometime would be required. He, therefore, prays for adequate time to be allowed to submit his appeal.

6. In view of the submissions, we deem it appropriate to dispose of this O.A. with the following directions:-

“The applicant is at liberty to submit an appeal within a period of two (02) months from the date of receipt of a copy of this order to the competent authority duly indicating the merit points which according to him ought to have been awarded under individual criteria along with supporting documents. If such an appeal is filed contending that the applicant deserved to be granted 55 or above merit points, the competent authority shall re-examine the case of the applicant in the light of the evidence relied upon therein and take a final decision in the matter within a period of three (03) months thereafter.”

7. O.A is disposed of in the above terms. No costs.

(Ramesh Singh Thakur)
Judicial Member
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(R. Ramanujam)
Administrative Member