

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTINGS:GWALIOR

Original Application No.202/00810/2017

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

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

Vasudev

S/o Late Shri Anoop Kumar

Age 34 years

Occupation Unemployed

R/o C/o Shri Raju Kushwah Aapa Ganj

In front of Guddu Baba Lashkar

Gwalior (M.P.) 474001

-Applicant

(By Advocate –**Shri Saurabh Parashar proxy counsel**
for Shri D.P. Singh)

V e r s u s

1. Comptroller & Auditor General of India,
10, Bahadur Shah Zafar Marg,
New Delhi PIN 110002

2. Accountant General (A&E) –I
Audit Bhawan Jhansi Road
Gwalior M.P. 474002

3. Deputy Accountant General (Admn.)
O/o A.G.M.P. Audit Bhawan,
Jhansi Road
Gwalior M.P. 474002

4. Accountant General (Admn.II)
O/o A.G.M.P. Audit Bhawan
Jhansi Road
Gwalior M.P. 474002

- Respondents

(By Advocate –**Shri J.P. Saxena**)

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

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

“8.i) The impugned order Annexure A-1 may kindly be quashed and the respondents be commanded to provide compassionate appointment as has been done in the cases of other similarly situated candidates as per law within a specific period.

ii) Cost of the petition be awarded or any other order direction deemed fit in the circumstances of the case be issued in favour of the petitioner.”

2. Learned counsel for the applicant would submit that the request of applicant for compassionate appointment had been rejected by the respondents by Annexure A/1 communication dated 01.06.2017 merely stating that the departmental scrutiny committee in its meeting dated 26.05.2017 did not recommend the applicant's case and accordingly, the matter stood closed. Even on being issued notice in this O.A., the detailed reply filed by the respondents does not bring out the basis of and the manner in which the committee arrived at its conclusion. It does not disclose the exact merit points granted to the applicant under various criteria, the aggregate thereof and the aggregate merit points of the last selected candidate in each of the years in which such

appointments were considered. Accordingly, it is alleged that the rejection of the applicant's claim was arbitrary.

3. Learned counsel for the respondents would admit that the respondents followed a merit points system for assessment of the financial condition of the family of a deceased government servant for grant of compassionate appointment and the applicant's case must have been rejected by the departmental scrutiny committee for want of adequate merit points. The respondents would not be averse to disclose the merit points awarded to the applicant along with details of the merit points of the last selected candidate etc. if so, directed by the Tribunal.

4. Keeping in view the aforesaid submissions, we deem it appropriate to dispose of this O.A. with the following directions:-

“The respondents shall disclose the detailed breakup of merit points awarded under various criteria to the applicant, the aggregate thereof and the aggregate merit points of the last selected candidate in each of the years in which compassionate appointment was made within a period of two (02) months from the date of receipt of a copy of this order. In the event of the applicant noticing any under-assessment he shall be at liberty to draw the attention of the competent authority by way of a fresh representation along with

supporting documents within one month thereof. On receipt of such representation, the respondents shall duly consider the matter in accordance with the norms and procedures laid down in the scheme of compassionate appointment and pass a reasoned and speaking order within a period of two (02) months thereafter.”

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

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