

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00396/2016

Jodhpur, this the 5th October, 2018

CORAM

Hon'ble Smt Hina P. Shah, Judicial Member

Ashish Sukhwal S/o Arvind Sukhwal, aged about 22 years, R/o 52/16 Karni Mata Kheda, Housing Board, Kumba Nagar, Chittorgarh, Rajasthan.

.....Applicants

By Advocate : Mr Nishant Motsara.

Versus

1. Union of India through Secretary, Ministry of Information & Broadcasting, A Wing, Shastri Bhawan, New Delhi.
2. The Director General of Delhi, Akshwani, New Delhi.
3. The Additional Director General (Engineering) (NZ) Akashwani and Doordarshan Jamnagar, Shahjahan Roda, New Delhi.
4. The Director (Prasar Bharti), Akashwani, Jaipur.
5. The Prasar Bharti, Bhartiya Prasaran Nigam, Akashwani, Chhitorgarh, District – Chittorgarh.

.....Respondents

By Advocate : Mr. K.S. Yadav.

ORDER (Oral)

The present Original Application has been filed U/s 19 of the Administrative Tribunals Act, 1985 by Mr Ashish Sukhwal seeking compassionate appointment as his father Shri Arvind Sukhwal died on 06.09.2011 while working on the post of Technician in the respondent-department.

2. Learned counsel for the applicant submits that the applicant applied for appointment on compassionate grounds after death of his father but respondents did not give him appointment. He thus served legal notice dated 29.02.2016 (Annex. A/7) on the respondents and the same has been replied by the respondents vide letter dated 16.05.2016 stating therein that applicant's case was considered by the screening committee. However, since number of marks under the SOP chart were less, so he was not found suitable for giving the appointment under Compassionate Appointment Scheme. He submitted that the respondents have not given any details about marks obtained, number of considerations etc. On the other hand, learned counsel for the respondents submits that after receipt of application dated 13.02.2012, the candidature of the applicant could not be considered by the screening committee in its meeting dated 27.03.2012 as the applicant did not attain the age of 18 years.

3. During course of hearing, learned counsel for respondents submitted that the applicant's case has been considered once against single available vacancy but could not be given appointment as applicant got lesser points in the SOP chart in comparison to the selected candidate for compassionate appointment. He further submitted that case of the applicant will be considered for the 2nd time in the next meeting of Screening

Committee subject to availability of vacancy for the compassionate appointment, i.e. 5% of Direct Recruitment quota.

4. At this point of time, learned counsel for the applicant submitted that the applicant would be satisfied if direction is issued to the respondents to consider the case of the applicant for appointment on compassionate grounds for 2nd time whenever vacancy for compassionate appointment becomes available with the respondents.

5. Recording the submission made by learned counsel for the respondents that respondents shall consider the case of the applicant for 2nd time whenever vacancy for compassionate appointment is available, I deem it appropriate to dispose of this OA. Accordingly, without going into the merits of the case, OA is disposed of with the direction to the respondents to consider the case of the applicant for appointment on compassionate grounds in the next meeting of Screening Committee against the available vacancy for the same.

[Hina P. Shah]
Judicial Member

Ss/-