

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, 234/4 A.J.C Bose Road Nizam Palace Kolkata**

ORDER SHEET



COURT NO. : 1

30.08.2018

O.A./350/1185/2018

M.A./350/596/2018

(MENTIONED) (SB)

ITEM NO:10

FOR APPLICANTS(S) Adv. :

RUPALI MONDAL & ANOTHER

-V/S-

G S I

Mr. C.Sinha

FOR RESPONDENTS(S) Adv.:

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr. C.Sinha, Ld. Counsel for the applicants.</p> <p>2. M.A.No.596/2018 filed by the applicants to prosecute this case jointly is allowed.</p> <p>3. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:</p> <p>"a) To set aside and quash the impugned Letter No. 5625/OP/A-12031/Comp. Apptt./CHQ/DM/03/17D dated 17.10.16 issued by Adminstrative Officer for Dy. Director General (P).</p> <p>b) To set aside and quash the impugned Letter No. 345/PP-II/A-12031/Comp.Apptt./CHQ/DM/03/17D dated 12.01.16 issued by Administrative Officer.</p> <p>c) to direct the respondents to consider the case of applicant No. 2 for compassionate appointment in any post commensurating his age and educational qualifications forthwith.</p> <p>d) Liberty may be granted under Rule 4(5)(a) to file and maintain the Original Application jointly before the Hon'ble Tribunal.</p> <p>e) any other order or orders as the Hon'ble Tribunal deems fit and proper."</p> <p>4. Applicants have filed this instant application with a prayer for grant of compassionate appointment in favour of</p>

applicant no. 2 on the sad demise of late Dibakar Mondal i.e father of applicant No. 2. They have submitted that though assurances have been given to the applicants in terms of letters dated 12.01.2016 and 17.10.2016 that his case will be considered in the next Compassionate Appointment Committee Meeting but unfortunately the same has not been done despite representations dated 12.07.2017 and 30.07.2018 submitted by the applicant no. 2.

5. Applicant No.2 had preferred a representation on 30.07.2018 (Annexure-A/10) before Respondent No.3 seeking compassionate appointment but the same has not been considered and disposed of till date, for which he has moved this Tribunal in the present O.A.

6. Ld. Counsel for the applicants submitted that the grievance of the applicant may be redressed if a specific direction is given to Respondent No.3 to consider the said representation under Annexure-A/10 within a specific time frame.

7. Taking into account the submissions made by Ld. Counsel for the applicant, I do not think that it will be prejudicial to either of the sides if this O.A. is allowed to be disposed of. Accordingly, without going into the merit of the matter, I dispose of this O.A. by directing Respondent No.3 to consider the representation as at Annexure-A/10, if any such representation has been preferred and is still pending consideration, and pass a reasoned and speaking order within a period of six weeks from the date of receipt of copy of this order.

8. Although, I have not expressed any opinion on the merit of the matter and all the points raised in the representation, stated to have been made and is still pending consideration before Respondent No.3, will be considered as per Rules and Regulations in force, still then I hope and trust that if after such consideration the case of the applicant is found genuine then expeditious steps may be taken by the Official Respondents to consider their case for grant of compassionate appointment within a further period of three months therefrom. However, I also make it clear that if in the meantime the said representation under Annexure-A/10 has already been considered and disposed of then result of the same be communicated to the applicant within a period of two weeks from the date of receipt of this order.

9. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.



10. As prayed for by Ld. Counsel for the applicant, copy of this order along with paperbook be transmitted to Respondent No.3 by Speed Post for which he undertakes to deposit the cost with the Registry by 03.09.2018.

11. Free copies of this order be handed over to the Ld. Counsels for both the sides.

(A.K. PATNAIK)
MEMBER (J)

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