

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1338/2016

Date of Order: 27.06.2018

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

1. Nilima @ Mitali Dey, aged about 55 years, wife of Late Gobinda Chandra Dey.
2. Soura Dey, aged about 23 years, son of late Gobinda Chandra Dey.

Both No. 1 & 2 are residing at 362/3, Purbanchal Para Ashokenagar Kalyangarh, Post Office & Police Station – Ashokenagar, in the District – North Parganas. Pin code – 743222.

---Applicants

Versus

1. Union of India service through the Secretary, the Ministry of Health and Family Welfare, Nirmal Bhawan, Moulana Azad Road, New Delhi – 110011.
2. The Director General of Health service (MSO) R.K Puram, New Delhi 110066.
3. The Assistant Director General, Government of India, Medical Store Department, 9, Clucle Row, Hastings, Kolkata 700022.
4. Deputy Director ADMN (Store), Medical Stores Organisation, West Block No. 1, Wing No. 6, R.K Puram, New Delhi, Pin Code – 110066.

---Respondents

For the Applicant(s): Mr. S. Ghosh, Counsel

For the Respondent(s): Ms. P. Goswami, Counsel

O R D E R (O R A L)

Per: Ms. Bidisha Banerjee, Judicial Member:

Ld. counsel for both the parties were heard.

2. The applicant, Soura Dey, is the son of deceased Gobinda Chandra Dey, who died while in harness on 30.08.2002. The widow, Smt. Nilima @ Mitali Dey, had preferred application seeking employment assistance on compassionate ground, but since she was above favourable age for any appointment and has almost turned 55 years of age, she withdrew the application preferred before this Tribunal with liberty to seek consideration in

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favour of her son, Soura Dey. On 17.06.2016, liberty was given to the applicant in O.A 546/2016 to make a proper application before the concerned authority for appointment of her son on compassionate ground. Upon her prayer seeking consideration of employment assistance on compassionate ground for her son, the respondents responded that it shall be considered in chronological order as and when a vacancy on compassionate ground arises.

3. Ld. counsel for the applicants relied upon a decision of the Hon'ble High Court Calcutta in WPCT 176/2013 in Sandhya Rani Mondal -vs- Union of India & Ors, where the Hon'ble High Court while directing grant on compassionate ground had reminded the fact that "The competent authority should not forget that compassionate appointment is granted to the member of the deceased family in order to overcome the sudden financial crisis and, therefore, the authority concerned must take expeditious steps for providing employment on compassionate ground without raising the plea regarding non-availability of suitable vacancy."

4. Ld. counsel for the applicants submitted that the very purpose would be defeated if the respondents are not asked to expedite the process.

5. In the aforesaid backdrop, it is ordered that the competent authority shall consider the matter appropriately against the vacancies in their own department or in any other sister department and pass appropriate reasoned and speaking order in accordance with law within a period of 3 months.

6. The decision so arrived at shall be communicated to the applicants forthwith.

7. The O.A is disposed of. No costs.

(Bidisha Banerjee)
Member(J)

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