

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 14<sup>th</sup> day of December, 2018

Present:

**Hon'ble Mr. Rakesh Sagar Jain – Member (J)**

**Original Application No. 330/ 00267 of 2018**  
(U/S 19 Administrative Tribunals Act, 1985)

Hakim singh 30 years

S/o Late Ramdas

R/o Village Taluka Kilchuwara Buzurg,  
Post Office – Badora, Police Station Babina,  
District Jhansi.

By Advocates – Shri M.K. Tripathi

**VERSUS**

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. Garrison Engineer, Military Engineer Services (M.E.S.), Jhansi Cantt.  
Jhansi.
3. Head Quarter, Commander Works Engineer, Jhansi Cantt. Jhansi.

.....Respondents.

By Advocate : Ms. Shikha Dixit

**ORDER**

**By Hon'ble Mr. Rakesh Sagar Jain , J.M. :**

Shri D. Tiwari proxy counsel for Shri M. K. Tripathi, learned counsel for the applicant and Ms. Shikha Dixit, learned counsel for the respondents are present.

2. During course of final argument learned counsel for the applicant has referred to letter dated 26.10.2017 of SE Director (Pers & Legal) for Chief Engineer wherein it has been averred in Para 6 that :

"Your case will be considered as 2<sup>nd</sup> Look in next yearly board for the year 2017-18 on release of vacancies from competent authority. However, consideration by BOO is not a guarantee of appointment on compassionate ground as the same is based on merit and availability of vacancies."

3. Learned counsel for the applicant submitted though the case of applicant was to be considered in the year 2017-2018 but the respondents have not considered his case so far, and therefore, direction may be given to the respondents to consider the case of applicant in the next Board to be held by the respondents for the purpose of appointment on compassionate ground.

4. Heard and considered arguments of learned counsel for the parties and gone through the O.A., CA and the rejoinder. Looking to the limited prayer made by the learned counsel for the applicant direction is given to the respondents to consider the case of the applicant Hakim Singh in the next Board to be held by the respondents for considering the cases for appointment on compassionate ground.

5. Accordingly O.A. is disposed of. No order as to costs.

(RAKESH SAGAR JAIN)  
MEMBER (J)

/Shashi/