

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1

18.01.2019

O.A./260/266/2016

ON MEMO

D PAUL
-V/S-
D/O POST

ITEM NO:19

FOR APPLICANTS(S) Adv. : Mr. D. K. Mohanty

FOR RESPONDENTS(S) Adv.: Mr. S. B. Mohanty

Notes of The Registry	Order of The Tribunal
	<p>Heard Mr. D. K. Mohanty, Learned Counsel for the Applicant and Mr. S. B. Mohanty, Learned Counsel for the Respondents.</p> <p>The order dated 01.02.2016 under Annexure-A/8, by which the case of the applicant was rejected by the respondents based on the recommendation of the Circle Relaxation Committee, held on 10.12.2013 and communicated to the applicant on 03.03.2014, shows that the case of the applicant was rejected solely on the ground that he was the married son of the deceased GDS employee. Learned Counsel for the applicant submitted a copy of OM dated 05.09.2016 of the DoP&T in which the paragraph 4 of the said OM states as under:</p> <p><i>"4. The cases of compassionate appointment rejected solely on the grounds of marital status in terms of FAQ No. 13 dated 30.05.2013 during the intervening period i.e. w.e.f 30.05.2013 to 25.02.2015 in respect of married son may be reopened/reconsidered against vacancies occurring after issue of this OM."</i></p> <p>In view of the specific provision in the OM as stated above, the O.A is disposed of after hearing of the Counsels for both the parties, with a direction to Respondent No. 2/competent Authority to reconsider the case of the applicant in the light of the provisions of the DoP&T's OM dated 05.09.2016, after a fresh inquiry about the financial status of the family as per the extant rules and communicate the decision through a speaking and reasoned order to be communicated to the applicant</p>

within a period of three months from the date of receipt of this order.

The O.A is disposed of accordingly.

Urgent copy of this order be made available to both the Learned Counsels.

(GOKUL CHANDRA PATI)
MEMBER (A)

pms