

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**Original Application No.181/00140/2019**

Wednesday, this the 27th day of February, 2019

**Hon'ble Mr.Ashish Kalia, Judicial Member**

Najumudheen K.K  
Aged 26 years  
S/o.Late Hassinar N.C  
Kallakkekall House  
Amini Island  
Lakshadweep ..... **Applicant**

**(By Advocate Mr.Mohammed Salih.P.M)**

**V e r s u s**

1. The Administrator  
Kavaratti Island  
U.T of Lakshadweep, Pin Code 682 555
2. The Director (Service)  
Secretariat Establishment Section  
Kavaratti Island  
U.T of Lakshadweep, Pin Code 682 555
3. The Chairman Central Scrutiny Committee  
for Compassionate Appointment  
Kavaratti Island  
U.T of Lakshadweep, Pin Code: 682 555 ..... **Respondents**

**(By Advocate – Mr.S.Manu)**

This Original Application having been heard on 27.2.2019, the Tribunal on the same day delivered the following:

**O R D E R (ORAL)**

**Per: Mr.Ashish Kalia, Judicial Member**

The reliefs prayed for in the Original Application are as follows:

“(i) Quash Annexure A1 & A3;

(ii) To direct the respondent no.2 to consider Annexure A.4 representation dated 23.11.2018 after holding a personal hearing to the applicant so that he can submit the relevant documents to show that his brother is living separately and not supporting the family and to publish a revised score sheet;

(iii) To issue any other appropriate order or directions which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case

(iv) Award costs incidental to this application.”

2. Applicant seeks appointment on compassionate grounds from the respondents and he has been empanelled at serial no.131 of provisional score sheet. The objections of the applicant is that the respondents have taken into consideration the monthly salary and the value of properties of the brother of the applicant. Learned counsel for the applicant submits that the brother of the applicant is in government service since 1999, living separately with his family and he is not supporting the family. The applicant herein is the dependent of his father who died in harness.

3. In view of the changed circumstances and in terms of Rule 11(b) of consolidated instructions on compassionate appointment vide O.M F.No.14014/02/2012-Estt.(D), applicant has submitted Annexure A-4 representation to the second respondent on 23.11.2018.

4. Mr.S.Manu takes notice on behalf of the respondents and submits that respondent no.2, the Director (Service), Secretariat Establishment Section, Kavaratti Island is the competent authority to deal with such application.

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5. In view of the above, I, hereby, direct respondent no.2 to dispose of Annexure A-4 representation within a period of 3 months from the date of receipt of a copy of this order. Personal hearing, if necessary, may also be accorded to the applicant. With this observation, the Original Application is disposed of . No costs.

**(ASHISH KALIA)  
JUDICIAL MEMBER**

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**List of Annexures**

Annexure A1 - True copy of the relevant pages of the provisional score sheet issued by the 2<sup>nd</sup> respondent dated 18.9.2018

Annexure A2 - True copy of the representation submitted by the applicant to the 2<sup>nd</sup> respondent dated 25.9.2018

Annexure A3 - True copy of the relevant pages of the disposal of representations by the 3<sup>rd</sup> respondent committee

Annexure A4 - True copy of the second representation submitted by the applicant to the second respondent dated 23.11.2018.

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