

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.1485/2018

New Delhi this the 7th day of February, 2019

HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

Smt. Sujit, age 46 years, Group-C,
W/o Late Sh. Mukesh Kumar,
R/o H.No.C-353, New Seemapuri,
Delhi-110092.Applicant

(By advocate: Mr. D.K. Santoshi)

Versus

1. Union of India
Through its Secretary,
Ministry of Home Affairs,
North Block,
Central Secretariat,
New Delhi-110001.
2. The Deputy Director,
(Administration),
Lady Harding Medical College &
S.K. Hospital, Connaught Place,
New Delhi-110001.Respondents

(By advocate: Mr. K.M. Singh)

ORDER (Oral)

The applicant is the widow of one Shri Mukesh Kumar, who was working as a Bearer in Lady Harding Medical College, New Delhi. Shri Mukesh Kumar had unfortunately died in harness on 11.10.2013. The deceased employee had left behind his widow, namely, Smt. Sujit (the applicant in the instant OA), her three children, which include a daughter of 15 years of age, and two minor sons and her father-in-law. Subsequently, her father-in-law

also expired on 28.10.2015. The responsibility to take care of the family now lies with the applicant.

2. The applicant made a representation for compassionate appointment vide her letter dated 06.12.2013. There is no response by the respondents as yet.

3.0 The respondents mentioned that they had no record of family members of late Shri Mukesh Kumar. Hence neither could they release retiral dues nor could this request for Compassionate Ground Appointment could be processed. It was only subsequently that the applicant submitted a succession certificate on 24.08.2015 and only thereafter all the retiral dues were paid.

In regard to compassionate ground appointment, the respondents have a system of a Standing Committee, which had held their meeting on 28.04.2017 and there were about 90 applications pending at that time, out of which 49 candidates were found eligible for the posts of MTS. The respondents mentioned that the applicant was eligible for the post of MTS only and there was only one vacancy of MTS. In the meeting of 28.04.2017, one another candidate was found more deserving, and appointment on compassionate ground has been recommended in respect of that candidate. The respondents mentioned that the case of the applicant has not been rejected so far and will be considered in the next meeting of the said committee.

4. Matter has been heard at length. Shri D.K. Santoshi represented the applicant and Shri K.M. Singh represented the respondents.

5. The facts of the case are not in dispute. Compassionate ground appointment is not a vested right. It is a consideration to be extended to the bereaved family to take care of financial needs of the bereaved family. The applicant is seeking compassionate ground appointment as she is a widow, and has three children to support out of whom one is a young daughter and two minor sons.

6. In view of the foregoing, the OA is disposed of with directions to the respondents to consider the case of the applicant, and for this purpose, hold the meeting of the said Committee within a period of six months from the date of receipt of a certified copy of this order and take a reasoned and speaking decision. The decision, so arrived at, shall be communicated to the applicant in the form of a reasoned and speaking order. No order as to costs.

**(PRADEEP KUMAR)
MEMBER (A)**

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