

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 03rd day of *July*, 2019.

HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)

Original Application Number. 330/00659/2019.

Baliram Lal, S/o Late Ramroop, aged about 36 years, R/o Village –
Rudrapur Tola Mathurwa, P.O – Kushmhi Bazar, District - Gorakhpur.
.....Applicant.

VE R S U S

1. Union of India through Ministry of Defence, New Delhi.
2. Chief Engineer (AF)/HQ, MES, Bamrauli, Allahabad.
3. Commander Works Engineer (AF) (HQ), MES, Bamrauli,
Allahabad.
4. Garrison Engineer, A/F, MES, Gorakhpur.
.....Respondents

Advocate for the applicant : Shri Sumit Kumar Srivastava
Shri Saurabh

Advocate for the Respondents: Shri Anand Kumar Pandey

ORDER

In the present OA, the applicant has challenged the order dated 16.04.2019 whereby his application for compassionate appointment has been rejected on the ground that '....due to last date for submission of compassionate appointment documents has already expired'. Learned counsel for the applicant made a statement at the Bar that the impugned order may be quashed being non-speaking and respondents be directed to decide the representation of the applicant dated 30.03.2019 afresh.

2. On the other hand, learned counsel for the respondents submitted that the prayer made by the applicant for deciding his

representation afresh has already been considered and rejected by the respondents by way of the impugned order and as such the OA deserves to be dismissed.

3. After considering arguments of both counsels for parties, I am of the opinion that there is limited dispute and there is no need to call for counter. The representation was filed by the applicant seeking compassionate appointment but the same has been rejected by a non-speaking and unreasoned order. The order also does not contain the reason as to why there was a delay in filing of the representation.

4. Having regard to the above, the impugned order dated 16.04.2019 is quashed and the matter is remitted to the competent authority amongst the respondents to reconsider and decide the representation of the applicant dated 30.03.2019 afresh by a reasoned and speaking order within a period of two months from the date of receipt of certified copy of this order.

5. The OA is disposed of as above. No costs

6. It is made clear that nothing has been expressed on merits of the case.

(RAKESH SAGAR JAIN)
MEMBER- J.

Anand...