

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/515/2019

DATE OF ORDER: 05.09.2019

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Mukesh Kumar Sharma Son of Shri Rameshwar Lal Sharma, aged about 24 years, resident of Village Paoli, Post Office Bhingarh, District Chittorgarh, Rajasthan at present residing at Jaipur. Late Shri Rameshwar Lal Sharma was holding the post of Dresser cum Attendant at Opli Oden Hospital – Mob. 07891992700.

....Applicant

Mr. H.L. Gothwal, counsel for applicant.

VERSUS

1. Union of India through the Secretary, Ministry of Labour & Employment, New Delhi – 110011.
2. Director General, Labour Welfare Organisation, Government of India, Ministry of Labour & Employment, Jaisalmer House, Man Singh Road, New Delhi – 110011.
3. P.A.O. (MS) Labour, Ministry of Labour, Room No. 522, Shram Shakti Bhawan, Rafique Marg Road, New Delhi – 110 001.
4. The Welfare Commissioner (Central), Labour Welfare Organisation, Government of India, Ajmer Region, B-114, Jhatia Hilla, Data Nagar, Ajmer – 305 001.

....Respondents

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The applicant's father expired on 08.12.2012 while in services of the respondents. He was survived by his wife Smt. Sita Devi Sharma, unmarried daughter Ms. Pinki Sharma and a son Mukesh Kumar Sharma (applicant herein). The applicant

submitted an application for employment on compassionate grounds and his said application remained pending with the respondents upto November, 2018. Aggrieved by such inaction on the part of the respondents, the applicant got issued a Notice dated 23rd November, 2018 through his counsel. The said notice was replied by respondent no. 4 vide letter dated 27th December, 2018 stating therein that the applicant's case for compassionate employment is under consideration with the Director General, (Labour Welfare), Labour Welfare Organisation, Ministry of Labour and Employment, Government of India, New Delhi.

2. Learned counsel for the applicant while drawing our attention towards communication dated 27th December, 2018 (Annexure A/1) stated that the applicant would be satisfied if a direction is issued to respondent no. 2 to take a decision over the applicant's pending case with regard to grant of employment on compassionate grounds.

3. Keeping in view the afore-stated limited prayer made by learned counsel for the applicant, we deem it appropriate to dispose of the present Original Application at the admission stage itself without entering into the merits of the case.

4. Accordingly, the Original Application is disposed of with a direction to Director General, (Labour Welfare), Labour Welfare Organisation, Ministry of Labour and Employment, Government of India, New Delhi to take a decision over the applicant's

pending case for grant of employment on compassionate grounds and pass a reasoned and speaking order in accordance with the policy guidelines. In case, the applicant is found eligible for employment on compassionate grounds, his case be considered for appointment on a suitable post within a period of three months from the date of receipt of a certified copy of this order. However, there shall be no order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat