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CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI.

OA-334/2003

MA-333/2003

New Delhi this the 14th day of February, 2003.

Hon'ble Dr. A. Vedavalli, Member(J)

1. Smt. Chandrawati Devi,  
W/o late Sh. Girvar,  
C/o Sh. Murari Lal Kashyap,  
Hanuman Puri(Mahendra Nagar),  
Aligarh(UP).
2. Hira Lal,  
S/o late Sh. Girvar,  
C/o Sh. Murari Lal Kashyap,  
Hanuman Puri(Mahendra Nagar),  
Aligarh(UP). .... Applicants

(through Sh. D.N. Sharma, Advocate)

Versus

1. Union of India through  
the Secretary to the Govt.  
of India, Ministry of Urban  
Development, Nirman Bhawan,  
New Delhi.
2. The Director of Printing,  
Government of India, 'B' Wing,  
Nirman Bhawan, New Delhi.
3. The Manager,  
Government of India Press,  
Aligarh(UP). ... Respondents

ORDER (ORAL)

Hon'ble Dr. A. Vedavalli, Member(J)

Heard the learned counsel for applicants.

2. MA-333/2003 for joining together of the applicants in one application is allowed.

3. Applicants in this OA are aggrieved by the impugned order dated 17.10.2002 (Annexure A-1) rejecting their representation for compassionate appointment. When the matter came up for admission today, learned counsel for the applicant submitted that

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the facts and circumstances of the case as mentioned in the OA and the grounds for relief as contained in the OA were in the full knowledge of the respondents but the respondents have not considered the same while passing the aforesaid impugned order. Learned counsel also submits that the decision of the Apex Court in the case of Balbair Kaur Vs. Steel Authority of India (2000(6)SCC 493) has also not been kept in view by the respondents while passing the above impugned order.

4. The applicants seek the following reliefs in this OA:-

"(a) that the respondents may kindly be directed to re-consider the case of applicants for the compassionate appointment of applicant No.2, which is deserving and fits in the rules prescribed for such appointments.

(b) allow any other and further relief which this Hon'ble Court may deem fit and proper in the circumstances of this case, in order to safe-guard the interests of justice;  
and

(c) allow costs of this application."

5. On a consideration of the matter, I am of the view that the ends of justice will adequately be met by disposing of the OA at the admission stage itself with the following directions:-

(i) Respondents shall treat the present OA as a detailed representation against the impugned order dated 17.10.2002

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and examine the same on its merits in the light of the relevant rules, instructions and judicial pronouncements on the subject including, inter alia, the decision of the Apex Court cited above and dispose of the same with a detailed and speaking order in accordance with law under intimation to the applicant within two months from the date of receipt of a copy of this order.

(ii) In case any grievance further survives thereafter applicants are granted liberty to approach this Tribunal in appropriate fresh original proceedings, if so advised, in accordance with law.

(iii) Registry is directed to send a copy of the OA alongwith a copy of this order to the respondents.

6. OA is disposed of as above.

(Dr. A. Vedavalli)  
Member(J)

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*from M & for exch of time*