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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO.615 OF 2003

New Delhi, this the 21st day of March, 2003

HON'BLE SHRI V.K. MAJOTRA, MEMBER (A)

Shri RAKesh Rathi, aged 29 years
S/o Late Shri Raghubir,
R/o RZ-3/350, West Sagarpur,
Jagdamba Vihar,
New Delhi-110045.

....Applicant

(By Advocate : Shri S.P. Chadha)
Versus

1. The Secretary,
Govt. of India,
Ministry of Information Technology,
Electronics Niketan,
CGO Complex, New Delhi-110003.

....Respondents

ORDER (ORAL)

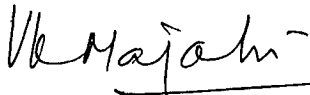
Shri Raghubir, Head Chowkidar, Ministry of Information Technology, New Delhi, died in harness on 16.12.2001. It is stated that he had put in 26 years service. The wife of the deceased Govt. servant Smt. Chanda Devi had expired in October, 1980. Shri Raghubir has two sons, now aged 28 and 26 years. Both are stated to be unemployed. The elder son of Shri Raghubir, namely, Shri Rakesh Rathi, who is a higher secondary passed, has applied to the respondents for compassionate appointment. His application has been rejected vide impugned order dated March 20, 2002 stating that ^{it} does not fall within the Govt. rules provided for compassionate appointment. Learned counsel stated that respondents have not given any specific reason for rejection of applicant's request for compassionate appointment. On personal inquiry, the authorities are stated to have told the applicant

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that the deceased Govt. servant had not submitted nomination for DCR Gratuity etc. etc. However, the learned counsel stated that on the basis of nomination submitted by the deceased Govt. servant during his life time with the authorities (Annexure A-8), applicant and his young^hbrother have been disbursed the gratuity amount. Learned counsel stated that ^hthe applicant is a more deserving candidate than ^hfour other cases, particularly because ^hhe has not been given any other pensionary benefits.

2. Here is a case where in my considered view, at this stage itself and without issuing a notice and in the interest of justice, respondents should be called upon to consider the present OA as a representation on behalf of the applicant and pass a detail and speaking order within a period of three months from the date of receipt of a copy of this order. Ordered accordingly.

3. The present OA is disposed of in the aforestated terms at the admission stage itself.


(V.K. Majotra)
Member (A)

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