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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.880/2003

New Delhi this the 3rd day of December, 2003.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)

Smt. Meera Devi,

W/o late Sh. Ram Prakash Prasad,

R/o Nirist Campas, P.O. Nirist Nirjuli,

Distt. Papunpare, Arunachal Pradesh -Applicant

(By Advocate Sh. Rajiv Yadav)

-Versus-

1. The Kendriya Vidyalaya Sangathan,
through Dy. Commissioner (Admn.),
The Kendriya Vidyalaya Sangatah)
East IV Section),
18. Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi-110018.

2. Union of India,
through the Secretary,
Ministry of Human Resources,
Govt. of India, Shastri Bhavan,
New Delhi.

-Respondents

(By Advocate Sh. H. Jayaraman proxy for Sh. S. Rajappa)

ORDER (ORAL)

After hearing the parties as compassionate appointment cannot be claimed as a matter of right, only right of consideration is recognized, that too subject to 5% quota in direct recruitment.

2. Earlier OA filed by applicant was disposed of and in pursuance thereof respondents vide letter dated 5.3.2002 rejected the request of applicant on the ground that at present private agencies have been hired for assigning duties of maintenance of garden, lawns, school compound, cleaning of school building watch and ward of the school etc.

3. In reply it is stated that as a policy decision respondents are not recruiting through direct recruitment any incumbent on Group 'D' post. As such the recruitment is zero without any vacancies.

4. On the other hand, learned counsel for applicant states that Group 'D' posts of peon and Aya are not mentioned by the respondents, as such the recruitment to these posts is still on.

5. On careful consideration of the rival contentions put-forth OA is disposed of with a direction to the respondents that in future if the respondents decide to fill up through direct recruitment any group 'D' post applicant's claim would be considered under 5% quota meant for compassionate appointment. No costs.

S. Raju
(Shanker Raju)
Member (J)

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