

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/1413/2017**

**Date of decision: 10.10.2019**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).**

...

Kapil Baggan aged 27 years, son of late Sh. Budh Ram, R/o Balmiki Mohala, Near Govt. Sr. Sec. School, Ward No.13 Babyal, Ambala Cantt. (Haryana) Group D.

**...APPLICANT**

**VERSUS**

1. Union of India through Secretary, Ministry of Defence, South Block, New Delhi.
2. The Director General of Staff Duties, SD-7 (Adm. Civ), General Staff Branch, Integrated HQ of MOD (Army), Army HQ, PO DHQ, New Delhi.
3. The Commanding Officer, HQ PH & HP(I) Sub Area, Ambala Cantt.
4. The Commanding Officer, Station Cell, HQ PH & HP(I) Sub Area, Ambala Cantt.

**...RESPONDENTS**

**PRESENT:** Sh. Shailendra Sharma, counsel for the applicant.  
Sh. B.B. Sharma, counsel for the respondents along with Sh. Bijender Singh, Departmental Representative.

**ORDER (Oral)**

...

**SANJEEV KAUSHIK, MEMBER (J):-**

1. Solitary prayer in this O.A. is to direct the respondents to consider claim of the applicant for appointment on compassionate grounds on demise of his father.
2. Facts are not in dispute.
3. Father of the applicant Sh. Budh Ram expired on 26.12.2011 leaving behind widow, one son and three daughters as indicated in para 4(i)

of the O.A. Applicant submitted document for appointment on compassionate grounds, which has been forwarded to higher authority by communications appended as Annexures A-1 to A-3. He was also subjected to medical examination and thereafter respondents did not inform him about outcome of meeting and finally applicant received communication dated 23.05.2017 (Annexure A-9), whereby he has been informed that since he has not submitted desired documents, therefore, his case was not considered in the Committee constituted for the purpose and he was asked to resubmit documents so that his case can be considered in next meeting.

4. The respondents have produced record as directed by this Court from where it is clear that after medical examination, applicant was advised to submit documents so that his case can be forwarded to the Board constituted for considering cases of compassionate appointment. Sh. B.B. Sharma, learned counsel for the respondents submitted that as indicated in the written statement, applicant's case could not be considered because he failed to submit required documents and as and when, he submits documents complete in all respects, his case will be considered in the next meeting of Board of Officers constituted for the purpose.
5. Learned counsel for the applicant submitted that respondents may not deny consideration on the ground that three years have passed. To this, learned counsel for the respondents informs that cap of three years for consideration of cases for appointment on compassionate grounds has since been removed and instructions have been issued by Govt. of India to consider such cases beyond three years, therefore, apprehension of the applicant is ill founded.

6. Considering above, the present OA is disposed of with a direction to the applicant to submit fresh application along with all documentation to the concerned quarter, which is directed to forward his case and place it in the next Board meeting constituted for the purpose of appointment on compassionate grounds in terms of policy. Outcome of the same may also be communicated to the applicant. M.A. also stands disposed of accordingly.

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

Date: 10.10.2019.  
Place: Chandigarh.

'KR'

