

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH
(CIRCUIT BENCH AT SHIMLA)**

...

O.A.No.063/01498/2018

Decided on: 07.11.2019

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MR. MOHD. JAMSHED, MEMBER (A)**

...

Manoj Kumar

Son of late Sh. Bharat Ram,

Resident of Village Gohari,

P.O. Okhru via Dhami,

Tehsil Arki,

District Solan, H.P.

...

Applicant

(BY: MR. H.S. CHANDEL, ADVOCATE)

Versus

1. Union of India
through Secretary,
Ministry of Urban Development,
'B' Wing Nirman Bhawan,
New Delhi-110108.
2. Director,
Department of Printing,
'B' Wing Nirman Bhawan,
New Delhi-110108.

(BY: ANSHUL BANSAL, ADVOCATE)

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Respondents

ORDER (ORAL)
SANJEEV KAUSHIK, MEMBER (J)

1. The applicant has filed this Original Application for issuance of direction to the respondents to appoint him against a post, as per his qualification, on compassionate grounds, and also accord him notional seniority from the date he had submitted his application for such appointment.

2. The respondents have explained in reply that they had considered the case of the applicant along with others (total 495) and as per merit prepared on the basis of points like family pension, terminal benefits, monthly income of earning members, income from property, movable/immovable property, number of dependents, unmarried daughters, minor children, left over service, etc. the applicant has obtained 50 marks, and on that basis, the name of applicant has been placed at Sr. No. 390. The case of all the candidates has been rejected on the ground that for want of vacancy, the department is not in a position to offer appointment to anyone. However, in future as and when vacancies arise, they would consider the cases.

3. The learned counsel for the applicant, however, submitted that some time bound direction may be issued to the respondents to take a call on the claim of applicant for appointment on compassionate grounds.

4. In view of the fact that the respondents have already prepared the list in which name of applicant is at Sr. No. 390, and there are no vacancies at present, no time bound direction can be issued to the respondents to consider case of applicant for appointment in a time bound manner. The respondents have

explained that as and when vacancies become available in relevant quota, they will consider the cases for appointment in that relevant connection. Thus, the direction, as sought for, cannot be issued to the respondents.

5. The O.A. is therefore, dismissed. No costs.

(MOHD. JAMSHED)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

PLACE: SHIMLA
Dated: 07.11.2019

HC*

