

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 3134/2019

MA No. 3430/2019

New Delhi this the 23rd day of October, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)

1. Chotti Devi (Compassionate Appointment)
Group 'C', Aged about 67 years,
W/o late Sh. Badri Prasad,
R/o Vill-Molahera,
PO-Maruti Near Sector-22B,
Community Center,
Gurugram (Haryana)
2. Ms. Meera, Aged about 36 years,
D/o late Sh. Badri Prasad,
R/o Vill-Molahera,
PO-Maruti Near Sector-22B,
Community Centre,
Gurugram (Haryana) - Applicants

(By Advocate: Mr. MD Jangra)

Versus

1. Union of India
Through its Secretary,
Ministry of Defence,
Govt. of India,
South Block, New Delhi
2. The Engineer-in-chief,
IHQ of MoD (Army)
DHQ, PO,
Kashmir House, New Delhi-110011
3. The Chief Engineer,
Headquarters, CWE No.2,
Delhi Zone, Military Engineer Services,
Delhi Cantt.-110010
4. The Garrison Engineer (E/M)
Base Hospital,

Delhi Cantt-110010

- Respondents

ORDER (ORAL)

MA No. 3430/2019 for joining together in a single Application is allowed for the reasons stated therein.

2. The applicants have filed the present OA, seeking the following reliefs:-

- “(i) To direct the respondents to consider the case of applicant no.2 for appointment on compassionate grounds without any delay.
- (ii) To declare the action of the respondents in not appointing the Applicant no.2 on compassionate grounds as illegal, arbitrary and unjustified and issue appropriate consequential directions for considering the claim of applicant on compassionate ground against suitable posts with all consequential benefits.
- (iii) To allow the OA with cost.
- (iv) To pass such other order and further orders which their Lordships of this Hon’ble Tribunal deem fit and proper in the existing facts and circumstances of the case.”

3. Counsel for the applicants draws our attention to the order dated 20.10.2018 passed by the respondents on his application for compassionate appointment which reads as under:-

“2. Your case for appointment on compassionate ground was processed to HQ CWE No.2 vide this office letter No.1027/Comp/BP/22/E1B dt. 23 Aug 2018 and 1027/Comp/BP/26/E1B dt. 22 Sep 2018 and they have intimated that the case will be considered when the instructions will be received from higher HQ/next BOO.”

4. Counsel for the applicants requests that a direction be given to the respondents to consider his case for compassionate appointment in a time bound manner.

5. In view of the limited prayer of the applicant, we direct the respondents to consider the case of the applicant no.2 for compassionate appointment in terms of the DoP&T's OM No. 14014/02/2012-Estt(D) dated 16.01.2013 whenever the next meeting of the Compassionate Appointment Committee is held and inform the applicants of the decision of the said Committee within a period of one month thereafter. In case no compassionate appointment is being made, then also, they are directed to inform him of the factual position by passing a detailed and speaking order on the applicant's request for compassionate appointment.

6. With the above directions, the OA is disposed off. No costs.

(Nita Chowdhury)
Member (A)

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