

(2019) 10 CAT CK 0071

In the Central Administrative Tribunal

Case No : Original Application No. 3134 Of 2019, Miscellaneous Application No. 3430 Of 2019

Chotti Devi And Ors

APPELLANT

Vs

Union Of India And Ors

RESPONDENT

Date of Decision : 23-10-2019

Acts Referred:

Citation : (2019) 10 CAT CK 0071

Hon'ble Judges : Nita Chowdhury, Member (A)

Bench : Single Bench

Advocate : MD Jangra

Final Decision : Disposed Of

Judgement

1. 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.