
(2022) 04 CAT CK 0038

In the Central Administrative Tribunal

Case No : Original Application No. 330, 00212 Of 2022

Shiro Mani Pandey

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 22-04-2022

Acts Referred:

Citation : (2022) 04 CAT CK 0038

Hon'ble Judges : Pratima K Gupta, Member (J)

Bench : Single Bench

Advocate : A.D. Singh, Amitabh Kumar Sinha

Final Decision : Disposed Of

Judgement

Pratima K. Gupta, Member, J

1. Shri A.D. Singh, learned counsel for the applicant and Shri Amitabh Kumar Sinha, learned counsel for the respondents are present.

2. By way of the present original application the applicant seeks for the following reliefs:-

(i) Direct the respondents to consider the matter and provide the compassionate appointment to the applicant on any suitable post with all consequential benefits instead of placing the name of the applicant in the waiting list.

(ii) Grant any other relief, as the applicant might be found entitled to, on the facts and circumstances of the case; (iii) Allow the original application with cost in favour of the applicant for involving in the litigation."

3. The brief facts of the case are that the father of the applicant died in harness on 22.11.2018. The applicant has moved a representation dated 05.07.2021 (Annexure A-9) before the respondents for seeking appointment on compassionate grounds. However, he has not been given any compassionate appointment so far aggrieved by the said inaction the has preferred this OA..

4. Learned counsel for the respondents draws my attention to the order dated 10.06.2020 (Annexure A-6) and 21.06.2021 (Annexure A-8) whereby it is seen that the case of the applicant was duly considered by twice the committee constituted for considering compassionate appointment. However, as number of candidates was much higher than the available vacancies, the applicant could not be granted compassionate appointment. It is also seen from the orders of the respondents, that the right of consideration for compassionate appointment of the applicant is still alive as the order itself says that his case shall be considered in the subsequent meetings.
5. At this stage, the learned counsel for the applicant submits that he will be satisfied if a direction is given to the respondents to consider the case of the applicant afresh by the committee constituted for consideration of cases of compassionate appointment.
6. In view of the limited prayer made by the learned counsel for the applicant, a direction is issued to the respondents to consider the case of the applicant for compassionate appointment afresh along with other similar cases as and when the committee constituted by the respondents to consider the cases for compassionate appointment meets and the outcome of the minutes of meeting shall be communicated to the applicant within a period of three months thereafter.
7. In view of the above observations, the original application stands disposed of.
8. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.
9. There shall be no order as to costs.