

(2018) 12 CAT CK 0050

In the Central Administrative Tribunal

Case No : Original Application No. 330, 00512 Of 2012

Surendra Nath Pandey

APPELLANT

Vs

Union of India And Ors

RESPONDENT

Date of Decision : 06-12-2018

Acts Referred:

Central Administrative Tribunal Act, 1985 — Section 19

Citation : (2018) 12 CAT CK 0050

Hon'ble Judges : Gokul Chandra Pati, J; Rakesh Sagar Jain, J

Bench : Division Bench

Advocate : L.M. Singh, R.K. Rai

Final Decision : Allowed

Judgement

Gokul Chandrapati, J

1. Shri Dharendra Kumar Dwivedi, learned counsel for the applicant and Shri Anil Kumar, learned counsel for the respondents are present.

2. Heard learned counsel for the parties and perused the papers on record.

3. Learned counsel for the applicant submitted that the application of the applicant for compassionate appointment dated 26.11.2008 (Annexure - 3 of the O.A.) has been submitted before the respondents, but no action has been taken as on date. Respondents have advised the applicant vide letter dated 24.05.2011 (Annexure - 5) to get suitable order from the Tribunal for considering the application.

4. Learned counsel for respondents submitted that after the death of the employee of BSNL who was the father of the applicant died on 15.11.2008 the application in the prescribed format received from the younger brother of the applicant first, subsequently the application of the applicant was received after a long delay. The learned counsel for the applicant clarified that the application of the applicant for compassionate appointment has been filed before the

respondents on 26.11.2008, which is pending as on date.

5. Learned counsel for the applicant submits that his grievance would be redressed if a direction is given to the respondents to consider his application as per existing Rules. Learned counsel for the respondents has no objection to this.

6. Accordingly, the respondents are directed to consider the application dated 26.11.2008 (Annexure - 3 of the OA) submitted by the applicant as well as his younger brother's application for compassionate appointment as per the existing Rules and guidelines and dispose of the applicant's application dated 26.11.2008 by passing a reasoned and speaking order as per the rules guidelines within a period of two months from the date of receipt of a certified copy of this order.

7. It is made clear that the merit of the case including the issue of limitation has not been examined while passing this order.

8. With this direction, the OA stands disposed of. No order as to costs.