

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.118

CWP-8032-2024

Date of decision : 09.04.2024

Bharat Sanchar Nigam Ltd. and others

..... Petitioners

Versus

Rakesh Kumar and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL
 HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr.Sanjeev Kaushik, Advocate, for the petitioners.

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DEEPAK SIBAL, J. (Oral)

1. The present petition is directed against the order dated 10.08.2023, passed by the Central Administrative Tribunal, Chandigarh Bench, Chandigarh (for short, the Tribunal) disposing of respondent No.1's Original Application (for short, OA) with a direction to the petitioners to consider respondent No.1's representation, for appointment on compassionate basis, within two months from the date of receipt of a certified copy of the order. Also under challenge is the order of the Tribunal dated 14.12.2023 dismissing the review application filed by the petitioners seeking therein review of the aforesaid order of the Tribunal dated 10.08.2023.

2. Respondent No.1 had knocked the doors of the Tribunal seeking therein issuance of directions to the petitioners to grant him appointment on compassionate basis. In response to respondent No.1's OA the petitioners stated before the Tribunal that through letter of the petitioners dated 25.04.2019 the policy for appointment on compassionate basis had been kept in abeyance for a period of three years and that since on the day of the passing of the impugned order dated 10.08.2023 the said period of three years had elapsed, respondent No.1's case, for appointment on compassionate grounds, would be now considered by the petitioners. In the light of such concession, the Tribunal disposed of respondent No.1's OA by directing the petitioners to consider his case for appointment on compassionate grounds within two months from the date

of receipt of a certified copy of the order.

3. The petitioners then filed an application seeking review of the order of the Tribunal on the ground that through another decision taken by the petitioners on 07.03.2022, the petitioners had decided to keep in abeyance the appointments on compassionate ground till further orders. The Tribunal found that the decision of the petitioners dated 07.03.2022 was very much in existence at the time when the Tribunal had passed its order dated 10.08.2023 and therefore, finding no error in its order, dismissed the petitioners' review application.

4. After hearing the learned counsel for the petitioners and going through the impugned orders, we find that the initial order of the Tribunal dated 10.08.2023 was passed on the basis of consent by the learned counsel for the petitioners and the only direction given through such order is to expeditiously consider respondent No.1's application made by him seeking therein compassionate appointment. Applications for appointment on compassionate basis should be decided at the earliest. Delay in their disposal defeats the very object behind such appointments. Therefore, the Tribunal is found to have committed no error in issuing the afore directions especially when these directions are based on the consent by learned counsel for the petitioners appearing before the Tribunal.

5. The review application of the petitioners is also found to have been rightly dismissed as the Tribunal did not rightly find any apparent error in its aforesaid order dated 10.08.2023.

6. In view of the above, the present petition is dismissed.

[DEEPAK SIBAL]
JUDGE

09.04.2024
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[DEEPAK MANCHANDA]
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No