

b(

C.A.No. 6238-6239 OF 1997
.....L.....T.....T.....T.....T.....T.....T.....T.....J.....

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 6238-6239/1997@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Union of India & Ors. .. Appellants

Vs.

K.P. Tiwari .. Respondent

O_R_D_E_R@@
AAAAAAAAA

.....L.....I.....T.....T.....T.....T.....T.....T.....J.....
.SP2

The respondent applied for employment with the appellants on compassionate grounds on the ground that his father died in harness and his family was in dire circumstances. He also indicated that his elder brother, who is an employee of the Madhya Pradesh Electricity, Board is residing separately and has his own family. However, the appellants having rejected the application made by the respondent, the matter was carried to the Central Administrative Tribunal, Jabalpur Bench, Jabalpur.

The Tribunal in the first instance merely directed to consider the case of the respondent afresh for appointment on compassionate grounds in relaxation of the educational qualification on merits and the matter was disposed of. Thereafter, the said order was reviewed by another application when the various circumstances of the death of the father of the respondent, brother being in employment and living separately not supporting the family of the respondent, were considered and the matter had been pending consideraton for a long time and in view

- 2 -

of the special circumstances directed that the respondent be provided with an employment within one month from the date of the receipt of the order.

During the pendency of these proceedings by an order made on 1.10.1996, the respondent has already been provided with an employment subject to the result of these appeals.

It is unnecessary in this case to examine either questions of law or fact arising in the matter. Suffice to say that the respondent has been appointed now and has been in service for more than five years. We do not think, it would be appropriate to disturb that state of affairs by making any other order resulting in uprooting the Respondent from his livelihood.

In that view of the matter, we decline to

interfere with the order made by the High Court. The appeals are accordingly dismissed.

.SP1

.....J@@
AAAAAAAAAAAAAAAAAAAA
[S. RAJENDRA BABU]@@
AAAAAAAAAAAAAAAAAAAA

.....J@@
AAAAAAAAAAAAAAAAAAAA
[DORAISWAMY RAJU] @@
AAAAAAAAAAAAAAAAAAAA

New Delhi,@@
AAAAAAAAAAAA
September 6, 2001.

.PA

.....L.....I.....J
.....L.....I.....T.....T.....T.....T.....T.....T.....J.....
ITEM NO.113 COURT NO.7 SECTION IV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO.6238-6239/1997

U O I & Ors. .. Appellant (s)
Vs.

K.P. Tiwari .. Respondent(s)
(With office report)

DATE : 6.9.2001 : This/These matter (s) was/were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE DORAISWAMY RAJU

For Appellant (s) : Mr. Kailash Vasdev, Sr. Adv.
Mrs. Anjani Aiyagari, Adv.
Mr. P. Parameshwaran, Adv.
Mr. C.V. Subba Rao, Adv.

For Respondent (s) : Mr. Niraj Sharma, Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....J

.SP2

The appeals are dismissed in terms of the signed order.

.SP1

(Meenu Sethi)
Court Master

(Om Prakash)
Court Master

Signed order is placed on the file