

CWP(T) No. 3140/08 (OA No. 707/96)

31.3.2009 Present: None for the petitioners.

Mr. Adarsh Sharma, Advocate, for the respondents.

This petition, filed on 26.5.1996 before the erstwhile H.P. State Administrative Tribunal was admitted on 4.6.1996. By virtue of the provision of the Himachal Pradesh Administrative Tribunal (Transfer of decided and pending cases and applications) Act, 2008 (No. 14 of 2008) the same stood transferred to this Court.

On 5.3.2009 none appeared for the petitioners when it was directed that notice be issued to them. As per office report dated 27.3.2009 actual date notice, returnable for today was issued to the petitioners but there is no representation on their behalf inspite of pass over.

Petitioner No. 1 was employed as driver with the respondent-Corporation where he served from November, 1976 till 30.9.1994. Prior to his retirement he made requests for appointment of his son which were turned down by the respondents.

The respondents have formulated "Kith and Kin Policy for the post of Class-IV employees" under which compassionate appointment is given to the members of the family.

In the reply the respondents have categorically stated that on reconsideration of the matter in June, 1996, name of petitioner No. 2 was considered and approved for the purpose of

appointment under the "Kith and Kin Policy". Petitioner No. 2 has been kept in the waiting panel and as and when vacancy arises he shall be considered, on its turn, in accordance with law.

In view of the said reply no further orders are required to be passed, save and except that the undertaking of the respondent is taken on record and the petitioner No.2 shall be considered in accordance with the policy.

Petition stands disposed of.

**(Sanjay Karol),
Judge.**

**March 31, 2009
(PK)**