

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

Original Application No.20/47/2020

Hyderabad, this the 24th day of January, 2020



Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

P. Santha, Aged about 45 years,
W/o. late Srinivas,
Ex-Safaiwala of CWI (P) (Vizag),
C/o. V. Mary (RPF), Q. No. RE/8/6/Type-II,
Green Gardens, Marripalem Post,
Visakhapatnam – 530 018.

... Applicant

(By Advocate: Mr. K. Sudhakar Reddy)

Vs.

1. Union of India, Rep. by its Secretary,
Ministry of Defence, South Block,
New Delhi – 110 011.
2. The Director General (Pers)/E1 C(4)
Military Engineer Service,
E-in-C's Branch, IHQ of MoD (Army),
Kashmir House, Rajaji Marg,
New Delhi – 110 011.
3. The Chief Engineer,
Head Quarters, Eastern Command,
Engrs Branch, PIN – 908542,
C/o. 99 APO.
4. The Chief Engineer (Navy),
Military Engineer Services
Railway Station Road,
Visakhapatnam – 530 004.

... Respondents

(By Advocate: Sri V. Venu Madhava Swamy, Addl. CGSC)

ORDER (ORAL)
{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.)}

2. The OA is filed in regard to compassionate appointment sought by the applicant in the respondents organisation.



3. Brief facts are that the applicant is the wife of Sri Srinivas, who worked as Safaiwala in the respondents organisation and died in harness on 18.9.1996. The applicant sought compassionate appointment on 3.5.2014 after the demise of her husband and there being no response, OA 907/2014 was filed wherein it was directed on 8.3.2016 to file a fresh application with requisite documents for consideration by the 4th respondent. On doing so, as directed, the applicant claims that, her request for compassionate appointment was considered and kept in the select list at Sl. No.1 in the LRS 2015-16. However, as the sanction of the competent authority was required for considering applications received for compassionate appointment beyond 5 years of the date of the death of the ex-employee, 4th respondent wrote to the 2nd and the 3rd respondents on several occasions for the required approval. As there was no response to the references referred to, the OA has been filed.

4. The contentions of the applicant are that she has been selected but the inaction on part of the 2nd and 3rd respondents in regard to the references made by the 4th respondent is hampering the opportunity to get appointed on compassionate grounds.

5. Heard both the counsel and perused the pleadings on record.

6. I) The case came up for hearing on 10.1.2020 and the Ld. respondents counsel assured to obtain instructions from the respondents on the subject by 24.1.2020. However, when the case was again listed on 24.1.2020, Ld. counsel for the respondents sought time to file reply.



II) The issue pertains to compassionate appointment of a widow trying to come to terms with life with the death of her husband who was the bread winner. On the intervention of the Tribunal in OA 907/2014, it is reported that, the respondents have selected the applicant in LRS 2015-16. However, as the application for compassionate was made after 5 years of the death of the ex-employee, approval of the 2nd and 3rd respondents was sought by the 4th respondent vide letters dt. 1.05.2019, 6.05.2019, 30.05.2019, 10.08.2019, 17.09.2019 & 24.09.2019, as claimed by the applicant in the OA. The Ld counsel for the applicant prayed that the 2nd respondent be directed to take a decision on the references made by the 4th respondent.

III) After hearing both the sides and considering the facts on record, respondents are directed to verify and examine the references made by the 4th respondent as referred to in the above paragraph and thereafter issue a speaking and reasoned order in respect of the case of the applicant for compassionate appointment in accordance with the extent rules and in

accordance with law, in a period of 8 weeks from the date of receipt of a copy of this order.

IV) With the above direction the OA is disposed of at the admission stage without going into the merits. No costs.



(B.V. SUDHAKAR)
MEMBER (ADMN.)

/evr/