

CENTRAL ADMINISTRATIVE TRIBUNAL

GUWAHATI BENCH

Original Application No. 042/00010/2020

Date of Order: This, the 10th day of January 2020

THE HON'BLE SMT. MANJULA DAS, MEMBER (J)

THE HON'BLE MR. NEKKHOMANG NEIHSIAL, MEMBER (A)



Shri P. Venii, aged about 39 years
 Son of Late Ng. Pukeho
 Resident of Rikhumai Taphou
 Village, P.O. & P.S. – Senapati
 District – Senapati, Manipur – 795106.
 Working as Group 'D' in the office of
 Nehru Yuva Kendra, Senapati-II
 Senapati District, Manipur-795106.

...Applicant

By Advocates: Sri S.P. Thomas

-Versus-

1. Union of India, represented by its Secretary, Ministry of Youth Affairs & Sports, Government of India.
2. The Director General, Nehru Yuva Kendra Sangathan, Ministry of Youth Affairs & Sports, Government of India
 4-Jeevan Deep Building, Ground Floor
 Parliament Street, New Delhi – 110001.
3. The Zonal Director, Nehru Yuva Kendra Sangathan, Bormotria, Guwahati
 Assam-781036.
4. The Zonal Director, Nehru Yuva Kendra Sangathan, DC Office, Imphal West, Office Complex, Ground Floor
 Room No. A/03, P.O. – Lamphel

Manipur – 795004.

5. The District Youth Co-Ordinator
 Nehru Yuva Kendra
 Senapati-II, P.O. – Senapati
 Senapati District, Manipur – 795106.

...Respondents.

O R D E R (ORAL)

MANJULA DAS, MEMBER (J)



This O.A. has been preferred by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8.(i) The respondents may be directed to regularise or to pass fresh appointment order of applicant w.e.f. 28.05.1998 under Die-in-Harness scheme and with all consequential relief as he has been working in that post since his appointment order till date without any gap of interruption in his service.

(ii) The respondents may also be directed to calculate the monthly salary arrears w.e.f. 28.05.1998 and pay within one month from the date of this order.

(iii) To pass any other appropriate order (s) as deem fit by this Hon'ble Tribunal in the interest of justice."

2. Sri S.P. Thomas, learned counsel appearing on behalf of the applicant submits that applicant's deceased father namely, Late Ng. Pukeho, during his life, served as a Peon in the office of Nehru Yuva Kendra, Senapati-II, Under Nehru Yuva Kendra Sangathan (Ministry of Youth Affairs & Sports),



Government of India. The deceased employee after serving 18 years 7 months 19 days died in harness on 20.11.1997 leaving behind wife and 4 children. According to the learned counsel for the applicant, said deceased employee was the only bread earner in the family. There is no other source of income within the family. After the death of deceased employee, the dependent family members are in pathetic conditions. Although the applicant has been engaged on daily wages basis, however, with his meagre income, it has become very difficult on his part to maintain his family members.

3. Learned counsel further submits that after the death of his deceased father, the applicant being legal son, claimed for compassionate appointment under Die-in-Harness through his advocate vide legal notice No. Legal Notice/2019-2020/01 dated 20.06.2019. However, instead of regular appointment, the appointment of the applicant was considered on daily wages basis. Although the District Youth Co-ordinator, Nehru Yuva Kendra, Senapati vide his letter No. 5209/NYK-SPT/2015/22 dated 26.08.2015 forwarded and

requested to process for full salary of applicant who was appointed in Group 'D', however, the respondent authorities have not considered for regularization of the service of the applicant. But the applicant is still serving in Group 'D' in the office of Nehru Yuva Kendra, Senapati-II, Manipur.



4. Learned counsel for the applicant fairly submits that at present applicant will be satisfied if a direction is issued to the respondent authorities to consider and dispose of his pending application sympathetically.

5. We have heard the learned counsel for the applicant, perused the documents annexed in the OA. By accepting the prayer made by the learned counsel for the applicant, without going into the merit of the case and without issuing notice to the respondents, we hereby direct the respondent authorities more particularly respondent No. 2 to consider the pending application of the applicant dated 20.06.2019, (Annexure-A/4 in the O.A) within a period of three months' from the date of receipt of a copy of this order.

6. It is made clear that the decision of the respondent authorities should be reasoned and speaking and be communicated to the applicant forthwith.

7. Accordingly, O.A. stands disposed of at the admission stage. No order as to costs.



**(NEKKHOMANG NEIHSIAL)
MEMBER (A)**

**(MANJULA DAS)
MEMBER (J)**

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