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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1051/2001

Friday, this the 31st day of August, 2001

Hon'ble Shri Shanker Raju, Member (Judl)

1. Smt. Kamlesh
W/O Late Shri Chiddi Singh
R/O C/O Ms. Rose Merry,
D-134, Neb Sarai,
Freedom Fighter Colony
New Delhi

..Applicant

(By Advocate: Shri Rajesh Sharda)

Versus

1. Central Public Works Department
Through its Director (Horticulture)
I.P.Bhawan, I.P.Estate
New Delhi

2. Union of India
through its Secretary
Ministry of Urban Development
Nirman Bhawan, New Delhi.

..Respondents

(By Advocate: Shri Bhasker Bhardwaj for
Shri Arun Bhardwaj)

O R D E R (ORAL)

Heard the learned counsel for both the parties.

2. The claim of the applicant in the present OA is that she has not been considered for compassionate appointment, despite making persistent requests and also the retiral benefits to which she is legally entitled as per rules, have not been accorded to her by the respondents. In support of her claim that she is the legally wedded wife of the deceased employee, the applicant has placed on record certain certificates, like, death certificate, CGHS card etc. and also the letter dated 24.3.2000 issued by the Dy. Commissioner of Police, New Delhi, wherein after enquiry is made into the matter regarding payment of dues to the legal heir of the deceased Govt. servant, it has been found that the

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(2)

applicant was legally married to the deceased Govt. servant. It is also contended that there has been a counter claim to the retiral benefits of the deceased Govt. servant by her mother, wherein it is stated that the deceased Govt. servant had never married with the applicant. The matter has been referred to the District Magistrate, Aligarh for verification and that the needful has not been done in the present case. The respondents have stated that the matter has already been taken in Industrial Dispute by the applicant.

3. Having regard to the contentions of the parties, I am of the confirmed view that the applicant has produced sufficient evidence to stake the claim of retiral benefits as being legally wedded wife of the deceased Govt. servant, whereas the respondents have also initiated enquiries through the District Magistrate, Aligarh, which matter is still under consideration.

4. In the facts and circumstances of this case, I direct the respondents to expedite that investigation and on receipt of the report by the District Magistrate, Aligarh, report of the Dy. Commissioner of Police as well as after consideration the documents annexed by her in the OA, consider the claim of the applicant for accord of retiral benefits as well as for compassionate appointment. The respondents are further directed to complete this process within a maximum period of two months from the date of receipt of a copy of this order.

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5. The present OA is disposed of in the aforestated terms. No costs.

S. Raju
(Shanker Raju)
Member (J)

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