

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1624/2001

New Delhi, this 13th day of December, 2001

Hon'ble Shri M.P. Singh, Member(A)

1. Mrs. Gurucharan Verma, w/o Shri O.P.Verma
2. Ms. Priti Verma, d/o Shri O.P.Verma
123C, AG Pocket I, MIG DDA Flats
Vikaspuri, New Delhi .. Applicant

(By Shri M.K.Bhardwaj, Advocate)

versus

Union of India, through

1. Secretary
Ministry of Statistics & Prog, Implementation
Sardar Patel Bhavan, New Delhi
2. Director, Data Processing Centre
Department of Statistics
Sardar Patel Bhavan, New Delhi
3. Under Secretary
Ministry of Statistics & Prog. Implementation
Sardar Patel Bhavan, New Delhi .. Respondents

(By Shri B.K.Berera, Advocate)

ORDER(oral)

Applicants have filed this OA under section 19 of the AT Act, 1985 seeking directions to the respondents to quash the order dated 9.6.2000 and to appoint applicant No.2 on compassionate ground.

2. Brief facts of the case are that the husband of applicant No.1 and father of applicant No.2 was working as Data Entry Operator (Group B) under the respondent-department. He died in harness on 1.5.1994. Immediately after his death, applicant No.1 submitted an application for appointment of her son Kapil Verma. Respondents vide their letter dated 14.3.95 rejected the claim of applicant No.1. Thereafter, she submitted



another application for appointment of her daughter (applicant No.2) on compassionate ground but the same was also rejected by the respondents vide their communication dated 16.10.95. Thereafter, applicant No.1 again submitted a representation and the same was rejected by the impugned order dated 9.6.2000. Aggrieved by this, applicants have filed this seeking the aforesaid reliefs.

3. Respondents have contested the case in their reply stating that as per the statement given by applicant No.1 in 1994, she was employed in Super Bazar and was drawing a salary of Rs.3650 p.m. and her daughter was working in AIIMS on ad hoc basis on a consolidated salary of Rs.1400. The family had received Rs.1,64,525 on account of retirement benefits and is drawing a enhanced family pension of Rs.900 p.m. which was revised to Rs.2857 w.e.f. 1.1.96 to 1.5.2001. In view of this position, the OA has no merit and it may be dismissed.

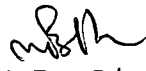
4. Heard the learned counsel for the rival contesting parties and perused the records. During the course of the arguments, the learned counsel for the applicants submitted that the applicants are not working at present, the financial position of the applicants is very indigent and that the family has no other sources of income except family pension to support them. He also submitted that the respondents have not taken into consideration the various aspects made by the applicant



in her representation and rejected it without assigning any reason. On the other hand, the learned counsel for the respondents stated that both the applicants were working and the financial position of the family does not justify appointment on compassionate ground. Their claim was already rejected in 1995 and the impugned letter dated 9.6.2000 is only a reply to her representation sent through the MP. He also submitted that the request has been rejected in 1995 while the OA has been filed on 8.6.2001 and therefore the OA is time-barred under Section of AT Act, 1985.

5. After perusing the papers placed before me, I find that the respondents have passed the impugned order rejecting the application of applicant No.1 without assigning any reason and without application of mind. In the circumstances, I feel that ends of justice would be duly met if the respondents are directed to reconsider the claim of the applicant keeping in view the instructions issued by the Government from time to time and pass a speaking, reasoned and detailed order, within a period of three months from the date of receipt of a copy of this order. I do so accordingly.

6. The OA is disposed of on the above terms. No costs.


(M.P. Singh)
Member(A)

/gtv/