

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.3048/2001

Monday, this the 12th day of November, 2001

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

Shri Ankit Saxena
S/o Late Shri K.K. Saxena
R/o H. No. 577 Type Z,
Timarpur, Delhi-54.

..Applicant

(By Advocate: Shri Gajender Giri)

Versus

1. Govt. of National Capital
Territory of Delhi
through Chief Secretary
Delhi Secretariat A Wing
5th Level, I.P. Estate
New Delhi

2. Director General of Civil Defence
& Commandant General of Home Guards,
Govt. of NCT
Nishkam Sewa Bhawan Raja Garden
New Delhi

..Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicant.

2. The applicant sought appointment on compassionate ground following the death of his father Shri K.K. Saxena, Ex. ICD, but the claim has been rejected by the respondent-authority by their Memorandum of 21.9.2001 (Annexure P-1) by stating that the Screening Committee, which considered the matter on three different dates, decided against the applicant's claim on the ground that the family of the deceased employee was in receipt of monthly family pension of Rs.2688/- apart from the amount of Rs.262898/- paid on account of service benefits. The learned counsel submits that the deceased employee had left behind two daughters of marriageable age, the applicant and a widow. He also submits that a large amount of Rs. 1.50 lacs approx. was spent on the

treatment of the deceased employee and the said amount had to be paid out of the aforesaid amount received by way of service benefits. Thus, the family of the deceased employee was ultimately left with a very small amount for being utilized on the needs of the family. Furthermore, the amount of pension of Rs.2688/-, according to him, cannot be said to be sufficient to sustain a family of four persons which includes two daughters of marriageable age. The learned counsel further submits that the test envisaged in the Govt. of India's OM dated 14.12.1999 for considering such claims has not been properly and justly applied by the Screening Committee/respondents. The family of the deceased employee, according to him, is experiencing acute financial distress and accordingly, the claim of the applicant needs to be considered carefully and sympathetically in terms of the aforesaid OM laying down the requisite guide-lines on this subject.

3. I have considered the submissions made by the learned counsel and the facts and the circumstances of the case and find that the ends of justice will be duly met in the present case by disposing of the OA at this very stage even without issuing notices with a direction to the respondent-authority to review the matter once again carefully and sympathetically having regard to the aforesaid submissions made by the learned counsel and whatever else has been mentioned in the body of the OA in support of the applicant's claim, and pass a reasoned and a speaking order expeditiously and in any event within a period of two months from the date of receipt of a copy

(3)

of this order. The respondent-authority is directed to consider the present OA as a representation made on behalf of the applicant. I direct accordingly.

4. The present OA is disposed of in the aforesated terms at the admission stage itself. No costs.

5. Registry is directed to send a copy of the OA along with this order to the respondents.

S.A.T. Rizvi

(S.A.T. Rizvi)
Member (A)

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