

Central Administrative Tribunal
Principal Bench

O.A. 1081/99

New Delhi this the 9th day of February, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Smt. Angoori Devi,
W/o late Shri Balbir Singh Rana,
R/o 672/33, Vishkarma Nagar,
Kathmandi Rohtak (Haryana). ... Applicant.

By Advocate Shri R.K. Shukla.

Versus

Union of India through

1. Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.
2. Chief Security Officer,
Secretariat Security Force,
Ministry of Home Affairs,
New Delhi. ... Respondents.

By Advocate Shri R.N. Singh proxy for Shri R.V. Sinha.

O R D E R (ORAL)

The applicant is the widow of late Shri Balbir Singh Rana, who had died while in service on 13.7.1997. She has filed this O.A. seeking a direction to the respondents to consider offering her a suitable Grade 'D' post on compassionate grounds.

2. Shri R.K. Shukla, learned counsel for the applicant has submitted that after the death of applicant's husband, she had submitted a representation to the respondents as far back as 27.8.1997 to consider her for suitable appointment on compassionate grounds. According to him, this was not done by the respondents till the filing of the O.A. on 5.5.99 in spite of repeated representations. He has

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further submitted that after the filing of the O.A. the respondents have issued a letter to the applicant dated 14.6.1999 together with circular/O.M. dated 29.10.1998 (copy placed on record). The applicant's counsel has submitted that the applicant's husband has left behind four family members and according to him they are in indigent circumstances and, therefore, ^{her claim is} she should be considered sympathetically.

3. Shri R.N. Singh, learned proxy counsel, has submitted that in the reply given to the applicant dated 14.6.1999, the respondents have submitted that they have already circulated the applicant's particulars for considering her request for compassionate appointment in accordance with the relevant rules and instructions and subject to finding that she has to be financially helped by giving her compassionate appointment. In the circumstances, learned counsel has submitted that nothing survives in this O.A. as the respondents have already considered the applicant's representation mentioned above.

4. From the reply filed by the respondents and their letter dated 14.6.1999, I find force in the contention of the learned counsel for the respondents that the applicant's main prayer for a direction to the respondents to consider her representation has already been done in accordance with the rules. The relevant portion of the letter dated 14.6.1999 reads as follows:

"I am to refer to your application dated 27th August, 1997 on the above noted subject and to say that no vacancy in compassionate appointment's quota in the grade of daily wages/regular basis is available at present in the Ministry. Therefore, it is not possible to accept your request for appointment at this stage. However, we have circulated your

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particulars to all the Ministries/Departments of the Government of India for considering your request for compassionate appointment. A copy of the communication issued is enclosed for your information".

5. Noting the contents of the above letter, O.A. is disposed of requiring the respondents to consider the applicant for suitable appointment on compassionate grounds in accordance with the extent rules and instructions as early as possible. No order as to costs.

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Member(J).

'SRD'