

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1717/97

New Delhi, this the 1st day of June, 2000.

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE MR. H.O. GUPTA, MEMBER (A)

Sh. J.S.Kaushal, Shubham Vihar, Mungeli
Road, Bilaspur (MP).

Present Address:

D-1033/23, Bhajanpura, Delhi - 110 053.

....Applicant.

(By Advocate: Sh. Ranjit Sharma)

VERSUS

1. Union of India : Through The
Secretary, Ministry of Defence, New
Delhi.

2. Engineer-in-Chief (Branch) Army
Head Quarters, DHQ, PO, New Delhi.

3. Chief Engineer, Western Command,
Chandigarh.

4. Chief Engineer, Chandigarh Zone,
Chandigarh.

5. Commandant Works Engineer (Project)
Hissar Cantt, Hissar.

...Respondents.

(By Advocate: Sh. V.S.R.Krishna)

O R D E R (ORAL)

Hon'ble Mrs. Lakshmi Swaminathan, M (J):

This application is a fall out of the earlier
OA-178/92 filed by the applicant, which was disposed of
by the Tribunals' order dated 15.4.97.

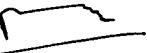
2. Consequent upon the directions given by the
Tribunal in the aforesaid order, the applicant had made a
representation to the respondent No.2 for grant of
compassionate allowance under Rule 41 of the C.C.S.
(Pension) Rules, 1972. This representation has been
rejected by a ~~bold~~ and non-speaking order dated ^{28.1.1998} which has

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been impugned in the present OA-1717/99. In the meantime, during the pendency of the application, the applicant has also unfortunately expired on 18.3.2000 and his widow has been allowed to be impleaded as applicant in his place..

3. As mentioned above, the impugned order dated 28.1.98 does not give any reasons for rejecting the original applicant's representation dated 2.6.97 for allowing him compassionate allowance under Rule 41 of CCS (Pension) Rules, 1972. As noted by the Tribunal in its order dated 15.4.97, the applicant had rendered 37 years of service although it is also a fact that he had been found guilty in the departmental proceedings and had been imposed a penalty of dismissal from service. Now that he has also expired, we consider it appropriate to direct the applicant to file a fresh representation to respondent No.1 alongwith the copy of this order as also the copy of the order in OA 178/92, dated 15.4.97, within a period of 15 days from today and send the same by Regd.Post with a copy to respondent No.2 for information. In that event, respondent No.1 shall dispose of the applicant's representation within a period of two months from the date of receipt of a copy of the representation with intimation to her.

4. According, the OA is disposed of above. No order as to costs.


(H.O. Gupta)
Member (A)

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(Mrs. Lakshmi Swaminathan)
Member (J)