

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA 2069/1999

New Delhi this the 2nd day of May, 2000

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

Smt. Pushpa Devi
W/O Sh. Satpal Singh
R/O RZ-151/1, Gali No. 5,
Durga Park, New Delhi-45

... Applicant

(None for the applicant)

Versus

1. Lt. Governor,
NCT of Delhi,
5, Sham Nath Marg,
New Delhi.

2. Delhi Administration
NCT of Delhi,
5, Sham Nath Marg,
New Delhi.

3. Chief Engineer,
P.W.D. Zone-I,
NCT of Delhi,
Karjan Road, K.G. Marg,
New Delhi-1

4. Executive Engineer
PWD, NCT of Delhi,
Electrical Divn. No. VIII,
First Floor, Police Lines ,
Vikas Puri, New Delhi.

5. Executive Engineer,
Electrical Divn. XII
PWD, NCT of Delhi,
Lok Nayak Jai Prakash Hospital
Complex, Near Ahiliya Bai Hostel,
New Delhi.

... Respondents

(By Advocate Sh. Harvir Singh, learned
counsel through proxy counsel
Mrs. P.K. Gupta)

O R D E R (ORAL)

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

The applicant has filed this application seeking a direction to the respondents to appoint her on compassionate grounds immediately and for a further direction to pay all dues due to her on the death of her husband, Sh. Satpal, who was employed with the respondents and died on 25.6.1997.

2. The applicant has submitted that she had submitted death certificate of her husband and also representation for compassionate appointment as he had died while in service.

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She has also stated that she has visited the office of the respondents on a number of occasions but they have not yet released the Family Pension, Provident Fund, Gratuity, Leave 7 Encashment etc. due to her late husband for which she had also made a number of representations. She has, therefore, stated in the O.A. that the action of the respondents is arbitrary in not acceding to the request made by her in the representations, firstly, for compassionate appointment, and secondly for payment of pensionary amounts due to her as wife of late Sh. Satpal who had died while working with the respondents.

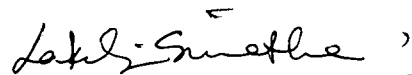
3. I have seen the reply filed by the respondents and also heard learned proxy counsel for the respondents. They have stated that from the death certificate enclosed by the applicant, they have admitted that the husband of the applicant was working with them as Khallasi and had expired on 14.6.97 and not on 25.6.97. According to them, there was some matrimonial dispute between the applicant and her late husband as ^{far as} back as in 1986. From their records, they have submitted that the applicant was in receipt of the maintenance allowance of Rs.400/-P.M. from her late husband, from which it appears that either the applicant was divorcee or the divorcee proceedings were still pending in the Criminal Court of which they are not aware. They have also submitted that in case the applicant would have produced a succession certificate in her favour of being the only legal heir of her late husband, Sh. Satpal Singh, then they would have released all the pensionary benefits due to her as well as considered her case for compassionate appointment, subject to the relevant Rules and instructions.

4. From the reply filed by the respondents on 18.2.2000 it is seen that they have seen that they have it is/not clearly stated whether the necessary information which is required to consider the case of the applicant had been obtained from her or not so far. Presumably this has not been done. The applicant has also not filed any rejoinder.

5. Taking into account the facts and circumstances of the case, OA is disposed of with the following directions:-

18. The applicant may submit a self contained representation

giving all the relevant details, including her matrimonial status, dependents/family members of her late husband, Sh.Satpal within one month from the date of receipt of a copy of this order. The applicant shall also submit any orders of the competent court which is relevant for the above claims including the sucession certificate to the respondents, to enable them to settle her case by taking necessary and appropriate decision in the matter. Necessary action in this regard shall be taken as expeditiously as possible thereafter, with intimation to the applicant. No order as to costs.


(Smt. Lakshmi Swaminathan)
Member (J)

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