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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL SECRETARY

O.A.NO.2403/95

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 13th day of March, 1996

Shrimati Vandana
w/o Late Shri Sumer Chandra
r/o Kashmir House
C.P.W.D., Staff Quarters
Rajaji Marg
NEW DELHI.

... Applicant

(By Shri D.R.Gupta, Advocate)

Versus

1. Director General of Works
C.P.W.D., Nirman Bhawan
NEW DELHI.

2. Executive Engineers
C.P.W.D., "F" Circle, CPWD
I.P.Bhawan
NEW DELHI.

... Respondents

(By Shri M.M.Sudan, Advocate)

O R D E R (Oral)

This application has been filed by Shrimati Vandana, Widow of late Shri Sumer Chandra who was employed as a Chowkidar in Central Public Works Department, New Delhi. Shri Sumer Chand died in harness on 21.10.1993 while working with the respondents leaving behind a family comprising the second wife and four children age between 3½ years to 18 years. The widow of the deceased employee applied for compassionate appointment and for retension of the Govt. ^{position} allotted to her late husband. Her grievance is that despite the fact she had submitted all the requisite papers, no decision has so far been taken on her request for the compassionate appointment.

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2. The respondents have stated in their reply that this could not be considered and a decision also not taken since the applicant had not submitted two essential documents required for consideration of her case; these are a photocopy (attested) of the Original Ration Card and a No Objection Certificate from the eldest son of the deceased Government servant in original duly signed by 1st Class Magistrate to the effect that he has no objection for appointment of the applicant his step mother and he will not claim for his own appointment in future.

3. When the case came up for hearing today, the learned counsel for the applicant submitted that the aforesaid documents had already been submitted to the Executive Engineer concerned and in turn ^{he} forwarded the same to the higher authority but the same has not been placed before the Competent Authority for decision. The learned counsel for the respondents, however, states that these two documents had not been received so far. The learned counsel also very fairly offered that in case the said documents are given to him, he will undertake to forward the same to the concerned authority and obtain a decision on the request of the applicant within a period of two months.


4. In view of the above mentioned circumstances, the application is disposed of with a direction that the applicant ^{or} through the ~~learned counsel for the respondents~~, handover the aforementioned two documents i.e. the attested copies of the original Ration Card and a No Objection Certificate from the eldest son of the deceased Government servant in original duly signed by the 1st Class Magistrate to the learned counsel for the respondents, Shri M.M.Sudan who will forward the same to the concerned authority ^{which} ~~and~~ who will in turn take a decision within

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two months ~~on~~ her request for compassionate appointment and retention of the quarter. Till then, the status-quo as of today will be maintained by the respondents in respect of retention of the Govt. quarter allotted to the deceased Govt. employee. The applicant would be at liberty to approach this Tribunal if the need arises. ~~Therefor,~~
The application is disposed of with the above directions.
No order as to costs.


(R. M. AHUJA)
MEMBER (A)

/RAO/