

Central Administrative Tribunal, Principal Bench

O.A.No.931/95

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

New Delhi, this 30th day of April, 1997

1. Premwati
w/o late Sita Ram
2. Radhey Shyam
s/o late Sita Ram
r/o Or. No.4/R/87,
Ordnance Factory Estate
Murad Nagar - 201 206
Dist. Ghaziabad (UP). ... Applicants
(By Shri U. Srivastava, Advocate)
- Vs.
1. Union of India through
The Secretary
Ministry of Defence Ordnance Factory Board
Ordnance Factory
Murad Nagar
2. The Secretary
Ordnance Factory
Mandal, 10-A Oucland Road
Calcutta.
3. The General Manager
Ordnance Factory Estate
Ordnance Factory
Murad Nagar
Ghaziabad (UP).
4. The Estate Officer,
Ordnance Factory
Murad Nagar
Dist. Ghaziabad(UP). ... Respondents
(By Shri V.S.R.Krishna, Advocate)

O R D E R(Oral)

The applicant No.1 is the widow and the applicant No.2 is the real son of the deceased Govt. employee, late Shri Sita Ram, who was working in the Ordnance Factory, Murad Nagar. On the death of the head of the family an application was made for appointment of applicant No.2, his son, Radhey Shyam on compassionate grounds. The applicants are aggrieved that vide Annexure A1, the respondents have rejected the claim of compassionate appointment in an arbitrary manner without due consideration of the circumstances of the deceased family. The respondents in their reply have stated that

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the applicant cannot claim compassionate appointment as a matter of right/course irrespective of financial conditions of the deceased family. The respondents have stated that the widow (Applicant No.1) has been paid terminal benefits amounting to Rs.1,45,055/- and is getting Rs.660/- + Dearness Relief which comes to around Rs.1500/- per month. Out of the family of two sons and two daughters, one son and two daughters are married and having their own family. All these circumstances, the respondents have duly considered and reply has been given to the applicants vide impugned order, A1.

2. I have heard the counsel on both sides. Prima-facie ^{there is} it does not appear to be a case for the applicant. Learned counsel for the applicant, however, submits that the applicants may be allowed to file a representation against the impugned order and the respondents be directed to dispose of the same within a specified period. He also submits that the decision of the respondents on the representation would be treated as final. To this, the learned counsel for the respondents has no objection.

3. In view of the aforesaid submissions made by the counsel on either side, the OA is disposed of with a direction to the respondents that in case a representation is made by the applicants against the impugned order, A1 within a period of three months from today, respondents will dispose of the same within three months from the date of receipt of a copy of such representation from the applicants. No costs.


(R.K. AHOOJA)
MEMBER(A)

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