

Central Administrative Tribunal
Principal Bench, New Delhi

C.P. No. 46/99 In
O.A. No. 2775/97

New Delhi this the 7th day of October 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)
Hon'ble Mrs. Shanta Shastry, Member (A)

Smt. Raj Rani
W/o late Shri Om Prakash,
R/o G-45, Kalkaji,
New Delhi.

Shri Deepak
S/o Shri (Late) Om Prakash,
R/O G-5, Kalkaji, New Delhi

Petitioners

(By Advocate: Shri R.V. Sinha)

Versus

1. Shri Ashok Kumar Pahwa,
Secretary,
Ministry of Urban Affairs & Employment,
Union of India, Nirman Bhawan,
New Delhi.
2. Shri B.S. Duggal,
Director General (Works)
C.P.W.D., Nirman Bhawan,
New Delhi.
3. Shri M.K. Mathur,
Chief Engineer,
C.P.W.D., Vidyut Bhawan,
New Delhi.
4. Shri A.P. Singh,
Superintending Engineer,
Delhi Central Electrical Circle-7,
C.P.W.D., East Block, R.K. Puram,
Sector-1, New Delhi-66.
5. Shri Virender Kumar,
Executive Engineer,
Electrical Division-9,
C.P.W.D., East Block,
R.K. Puram, Sector-1,
New Delhi-66.

... Respondents

(By Advocate: Shri D.S. Jagotra)

[Signature]

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ORDER (Oral)

By Reddy, J.

Heard the counsel for petitioner and the respondents.

2. The C.P. ~~is filed against~~ ^{✓ arises out of} the order passed in OA-2775/97 dated 17.9.98. In the said order it was directed that respondents should consider the case of the applicant for compassionate appointment in accordance with the law laid down by the Supreme Court as per instructions of the DOP&T in OM dated 30.6.1987.

3. Counter is filed stating that the order has been fully complied with and after considering the application for compassionate appointment of the applicant keeping in mind, the directions issued by the department in order dated 12.3.99 has been passed. In the said order it was stated that the deceased died in harness on 3.9.95 leaving behind him his widow, (the applicant) and two sons, elder of whom is employed and staying independently with his family. The family had received terminal benefits amounting to Rs. 1.06 lacs and also in receipt of family pension of Rs. 1305 plus D.A. In addition the widow has received Rs. 50,075/- under settlement of arbitration award on 16.4.98. The respondents were, therefore, of the view that it was not a case for compassionate appointment as per the rules and the judgments of the Apex Court.

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4. In view of the above decision taken by the respondents it cannot be said that the respondents have not complied with the order of the court.

5. The C.P. is, therefore, dismissed. Notices issued to the alleged contemners are discharged.

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(Mrs. Shanta Shastry)
Member (A)

Andhra

(V. Rajagopala Reddy)
Vice-Chairman (J)

cc.