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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI

O.A.No.2403/94

New Delhi: May, 18, 1995.

HON'BLE MR. S.R.ADIGE, MEMBER(A).

Smt. Sumitra Devi,
w/o Shoram Singh,
r/o F-2047, Netaji Nagar,
New Delhi.

2. Shoram
s/o Sh. Sunder Singh,
r/o F-2047, Netaji Nagar,
New Delhi. Applicants.

None appeared for the applicants.

Versus

1. Union of India through
Director General,
Doordarshan,
Government of India,
Mandi House, New Delhi.

2. Director,
Directorate of Estates,
Govt. of India, Nirman Bhawan,
New Delhi.

3. Estate Officer,
Directorate of Estates,
Nirman Bhawan,
New Delhi.

..... Respondents.

By Shri M.K.Gupta, Advocate, for respondents No.2 & 3.
Shri B.Lall for respondent No.1.

JUDGMENT (ORAL)

In this application, Smt. Sumitra Devi has prayed for compassionate appointment consequent to voluntary retirement of her husband Shri Shoram-applicant No.2 w.e.f. 31.3.89.

2. Applicant No.1 Smt. Sumitra Devi states that her husband Shri Shoram was working as Studio Attendant in Doordarshan w.e.f. 24.7.59 and was to retire on 31.3.94. She alleges that her husband applied for premature retirement on 31.3.89 without

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disclosing the facts to her because he was mentally upset and was getting medical treatment.

3. None appeared for the applicants even on the second call. Shri B.Lall appeared for respondent No.1 and Shri M.K.Gupta for respondents No.2 and 3.

4. Shri B.Lall has correctly pointed out that compassionate appointment is admissible only in the case where the Govt. servant expires while in harness and the entire objective of granting compassionate appointment is to save the family of the deceased from ^{indigence} ~~starvation~~. Applicant No.2 had ^{only} made a prayer for voluntary retirement which was accepted on 31.3.89. It appears that the respondents by their letter dated 5.5.92 had informed applicant No.1 that her husband-applicant No.2 has retired voluntarily with all retirement benefits and her request for withdrawal of resignation was received after the post got filled up. The request for withdrawal of resignation could not ^{therefore} be allowed and the request for compassionate appointment could also not be acceded to.

5. In the background of the relevant rules and instructions on the subject, there appears no legal infirmities in the respondents' letter dated 5.5.92 cited above and it is not possible to grant the reliefs prayed for by applicant No.1.

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6. Furthermore, it may be noted that even otherwise the applicant/^{No.2}would have retired on 31.3.94 as per the applicant No.1's own averment in paragraph 4(i) of her O.A.

7. Under the circumstances, the prayer for compassionate appointment, as well as prayer for retention of Govt. quarter allotted to her husband/applicant No.2 fails.

8. The O.A. is dismissed. Stay orders, if any, are hereby vacated. No costs.

M. J. D. G.
(S.R. ADIGE)
MEMBER (A)

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