

Central Administrative Tribunal, Principal Bench

R.A.No.118/96 in OA No.2002/95
M.A.No.1398/96 and MA No.1389/96

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

New Delhi, this 22nd day of January, 1997

1. Smt. Janki Devi
w/o late Baljeet Singh
2. Shri Ravinder Kumar
s/o late Baljeet Singh
R/o H.No.2/3, Pushp Vihar
Sector-I, Saket,
New Delhi.

... Applicants

Vs.

1. Union of India through
its Secretary
Ministry of Human Resource Development
Department of Education,
'C' Wing, Shastri Bhawan
New Delhi.
2. Under Secretary(Admn.)
Department of Education
Ministry of Human Resource Development
Shastri Bhawan
New Delhi.

... Respondents

O R D E R (By Circulation)

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

M.A.No.1398 and 1399 seeking condonation of delay
are allowed.

The applicant had filed OA No.2002/95 against
the order dated 13.1.1995 of the first respondent whereby
the claim of the applicants for employment assistance to
the second applicant on compassionate grounds was
rejected. The Original Application was rejected with
the following observation:

"The widow who is getting family pension and is
owning a residential house, even without assistance can
get on without much difficulty. Therefore, the decision
taken by the respondents denying compassionate appointment
to the second applicant is bonafide and no judicial
intervention is called for. In the result, finding no
merit even for further deliberation, the application is
rejected under Section 19(3) of the Administrative
Tribunals Act."

-2-

(5)

2. In the Review Application, it has been submitted that there was an error apparent on the face of the record inasmuch as the first applicant, the widow, has never owned any residential house nor the family is in possession of any residential house.


3. I have carefully considered the above contention but find no merit in it. The applicants themselves had annexed to the OA (Annexure P) a copy of the certificate issued by the Village Pradhan which reads as follows:

OA

"It is certified that Late Baljeet Singh s/o Shri Bhullan Singh was the permanent resident of Vill./P.O. Jiwana Golian Distt. Meerut Uttar Pradesh and was working as U.D.C. in the C.R. Branch of Education Department/Ministry of Govt. of India. The deceased has no property has no agricultural property of any nature in his parental/home town Vill. Jiwana Gulian Tehsil Sardhana, Distt. Meerut, Uttar Pradesh. Only he has a residential house constructed on less than 100 sq. yrd. land and that too is in dilapidated condition."

4. It clearly shows that the family of the deceased employee is having a residential house albeit a small one and in dilapidated condition. There is thus no error in taking note of the fact that the family had atleast one residential house.

5. In the light of the above position, the RA having no merit is dismissed.


(A.V. HARIDASAN)
VICE-CHAIRMAN(J)