

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the **22nd** day of **January** 2021

Original Application No. 330/00069 of 2021

Hon'ble Justice Mrs. Vijay Lakshmi, Member (J)

Km. Preeti, aged about 28 years, D/o Late Ram Chandra Prasad, R/o 139G/1C/6C Rasulabad, Tehsil Sadar, District Prayagraj.

. . .Applicant

By Adv : Shri Prem Narayan Rai and Shri Shariq Shamim

V E R S U S

1. The Comptroller & Auditor General of India, 9 Deen Dayal Updhayay Marg, New Delhi – 110024.
2. The Principal Accountant General [G&SSA], UP, Allahabad.

. . .Respondents

By Adv: Shri Rajnish Kumar Rai

ORDER

Shri Prem Narayan Rai, learned counsel for the applicant and Rajnish Kumar Rai, learned counsel for the respondents, both are present.

2. Heard learned counsel for both the parties on admission and perused the record.

3. At the very outset, learned counsel for the applicant drew the attention of this Tribunal to annexure No. A-11 page 56 of the OA, which is a copy of order dated 06.07.2020 passed by Hon'ble High Court in Writ (A) No. 3279 of 2020. It is submitted by learned counsel for the applicant that earlier the applicant had moved Hon'ble High Court with prayer to direct the respondent to consider and decide the representation of the applicant dated 14.01.2020 for providing compassionate appointment to the applicant under dying in harness rules. However, as an efficacious alternative remedy was available by way of filing OA before this Tribunal, the Hon'ble High Court dismissed the aforesaid Writ Petition on the

ground of availability of alternative remedy. Learned counsel for the applicant has submitted that during hearing of the aforesaid Writ Petition it was apprised by the learned counsel for the respondents to Hon'ble High Court that perhaps the representation of the applicant has already been decided by the competent authority.

4. On the aforesaid ground it has been prayed that the competent authority be directed to provide the applicant a copy of the order passed on the representation of the applicant and if the representation has not been decided as yet, the respondents may be directed to decide the same in a time bound manner.

5. Keeping in view the facts and circumstance of the case no fruitful purpose will be served in keeping this matter pending and it is finally disposed of at the admission stage with a direction to the respondent concerned, who is the competent authority to decide the representation of the applicant dated 14.01.2020 in accordance with law, by a reasoned and speaking order within a period of 3 months from the date of receipt of a certified copy of this order. It is further directed that if the representation of the applicant has already been decided, as had apprised by the learned counsel for the respondents to Hon'ble High Court, a copy of the order so passed on the representation be provided to the applicant within a period of one month from the date of receipt of certified copy of this order.

6. It is made clear that this Tribunal has not expressed any opinion on the merits of the case.

7. There is no order as to costs.

(Justice Vijay Lakshmi)
Member (J)

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