

THE TWO CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL SEAT: NEW DELHI

CL. NO. 1316/92

DATE OF DECISION: 13.05.1992.

Uma Devi Patel

...Applicant

Venka

Uma Devi Patel

...Respondents

Counsel

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (J)

The Hon'ble Mr. I.K. Rasgotra, Member (A)

1. Whether Reporters of Local Papers may be allowed
to see the Judgment? Yes

2. To be referred to the Reporter or not? No

To the applicant

Mrs. Sarla Chandra, counsel.

To the respondents

Shri N.S. Mehta, Senior
counsel.

Judgment (Oral)

(Delivered by Hon'ble Mr. P.K. Kartha, Vice-Chairman (J))

We have heard the learned counsel of both
parties and gone through the records of the case
carefully.

2. The prayer of the applicant, who is the widow
of the deceased government servant, is that her third
son, who is unemployed be appointed on compassionate
basis in L.S.C. in the office of the respondents.

3. The husband of the applicant, while working as UDC died in harness, after rendering about 26 years' of service on 10.6.1986. According to the applicant the first two sons are married and leaving separately and the third son for whose compassionate employment the present Application is filed is staying with her.

4. The learned counsel for the applicant stated that in addition to the family pension, amounting to Rs.700/- per month, the applicant received about Rs.50,000/- by way of Provident Fund and another sum of Rs.15,000/- towards Gratuity. The learned counsel for the applicant further stated that her two sons are employed in private sector and that they are not looking after her.

5. The learned counsel for the respondents stated that due to modernisation in the Government of India Press, there is no post of L.D.C. in which the applicant could be accommodated. The LDCs have already been rendered surplus. He further submitted that there is no record to indicate that the two sons are leaving separately. He referred to the concept of joint family and according to him the case for compassionate appointment does not deserve any direction from the Tribunal.

6. The learned counsel for the applicant, however, is relying upon the Ration Card in which the names of the two married sons do not figure.

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7. The learned counsel for the respondents have stated that in compliance of the judgement of this Tribunal in OA 618/90 Satyavir Singh Vs. Union of India, a common list of cases for compassionate appointment has been made and that the appointments on compassionate grounds are being made on the basis of the relevant seniority and the merits of each case.

8. In view of the foregoing, the Application is disposed of with the direction to the respondents to consider the case of the applicant also in accordance with the direction contained in Satyavir Singh case. The Application is disposed of accordingly.

9. There will be no order as to costs.

Sh. Lepcha
(I.K. Rasgotra) 130592

Member(A)

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(P.K. Kartha)

Vice-Chairman

May 13, 1992.

SKK

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