

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI

RA-30/92 with
MP-223/92 in
O.A. No. 1644/90
T.A. No.

199

DATE OF DECISION 27-1-92

Smt. Krishna Devi	Petitioner
-	Advocate for the Petitioner(s)
Versus	
Commissioner of Police & Anr.	Respondent
-	Advocate for the Respondent(s)

CORAM

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

The Hon'ble Mr. B.N. Dhoundiyal, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *NO*
3. Whether their Lordships wish to see the fair copy of the Judgement? *NO*
4. Whether it needs to be circulated to other Benches of the Tribunal? *NO*


(Judgement by Hon'ble Mr. P.K. Kartha, V.C.)


This R.A. has been filed by the original applicant in OA-1664/90 which was disposed of by judgement dated 8.11.1991. MP-223/92 has been filed by the petitioner seeking condonation of the delay in filing the M.P.

2. In OA-1664/90, the applicant, who had worked as a Constable in the Delhi Police, challenged the impugned order of termination dated 13.4.1988 and had prayed for reinstating him with all back wages. During the pendency of the proceedings, he passed away on 29.10.1990. Thereafter, his widow, who is the petitioner in this R.A., filed

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MP-3171/91 claiming that she is the only surviving member of deceased government servant's family and that she be substituted as the legal representative of the deceased government servant. The M.P. was allowed. After going through the records of the case and hearing the learned counsel for both the parties, the Tribunal held that the impugned order of termination was not legally sustainable and the same was set aside and quashed. In the facts and circumstances of the case, the Tribunal directed that the petitioner should be given 50 per cent of the pay and allowances which would have been otherwise admissible to her husband. In addition, she would also be entitled to family pension. After going through the grounds in the R.A., we see no error apparent on the face of the judgement. The petitioner has also not brought out any fresh facts warranting a review of the judgement. The relief in each case is moulded according to the facts and circumstances and the judicial pronouncements relied upon by the petitioner in the R.A. are distinguishable on their own facts. The petitioner has also not brought out any fresh facts warranting a review of the judgement. RA-30/91 and MP-223/92 are, accordingly, rejected.


(B.N. Dhoundiyal)
Administrative Member


(P.K. Kartha)
Vice-Chairman(Judl.)