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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A NO.119/2004

New Delhi, this the 22nd day of January, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

1. Smt. Harkon Devi,
Widow of late Shri Govind Das,
Ex.Carpenter (Civilian)
38 Coy., Army Supply Corps, Typa 'A'
Jhansi (UP)
Present address:
C/o Shri Chhida Singh,
Mohalla - Sukhdev Nagar,
Post Office: Krishna Nagar,
Mathura - 281 004

2. Vinod Kumar,
S/o late Shri Govind Das,
C/o Shri Chhida Singh,
Mohalla - Sukhdev Nagar,
Mathura - 281 004

... Applicants

(By Advocate : Shri D.N. Sharma)

V e r s u s

1. Union of India,
(Through - Quarter Master General (ST-12),
Adjutant General's Branch, Army HQrs, D.H.Q
Post Office, New Delhi
2. The Director General of Supply & Transport
(ST-12), Quarter Master General's Branch, Army
Headquarters, D.H.Q Post Office, New Delhi
3. The Officer Commanding,
38, Coy, Army Supply Corps, Type 'A'
Jhansi - 284 001

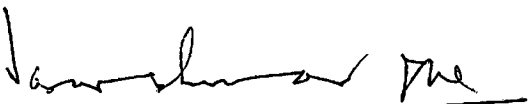
.... Respondents

O R D E R (ORAL)

Heard the learned counsel for the applicants.

2. This Original Application has been preferred against the orders of the respondents dated 16th May, 2001 (Annexure A-1) whereby the applicant No.2 has been informed that he will no more be considered for employment assistance.

3. It is observed that the applicant No.1 is the widow of the deceased employee, late Shri Govind Das, a



Civilian Carpenter with the Army Supply Corps, and who died while in service on 31.1.1998 and applicant No.2 is the son of the deceased employee. The applicant No.1 had requested the respondents to provide compassionate appointment to her son Vinod Kumar (applicant No. 2) in order to tide-over the hardships faced by the family on the death of the said employee while in service. It transpires from the learned counsel for the applicants that while the case of applicant No.2 for compassionate appointment was under consideration, he was provided employment on daily wages by the respondents in February, 2000 which continued till 31.5.2001 when that employment was also discontinued. The learned counsel for the applicants has submitted that daily wage employment of the applicant No.2 has been dispensed with by the respondents without issuing any notice to him, which, according to him, is against the decision of the Hon'ble Supreme Court given in Civil Appeal No.5447 of 1994 decided on 5.8.1994 (Annexure A-8).

4. It is also observed that the applicants have approached the respondents with representations from time to time and also through a legal notice, copies of which are placed at Annexure A-5 to A-7. The respondents, however, have not given any reply to the applicants so far.


5. That being the case, it is considered appropriate that this Original Application is disposed of at this stage itself with a direction to the respondents to consider the representations of the applicants which have been pending with them and also this Original Application, by treating it as another representation filed by the applicants, as



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per the existing instructions of the concerned authorities under which, among other things, it has also been provided that such cases for compassionate appointment be considered for three years, and to decide the matter by issuing a reasoned and speaking order as per law within a period of three months from the date of receipt of a copy of this order.

6. The present OA thus stands disposed of in terms of above directions.


(SARWESHWAR JHA)
MEMBER (A)

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