

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

D.A. No. 140/92

DATE OF DECISION 17.8.92

Smt. Durga Devi

Applicant

Sn. Sant Singh

Counsel for the applicant

v/s

U.O.I. & Ors.

Respondents

MS Jasvinder Kaur

Proxy counsel for Sh. Jog Singh
counsel for the respondents.

CORAM

The Hon'ble Member Sh.I.P. Gupta, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

JUDGEMENT (ORAL)

In this application filed under Section 19 of the Administrative Tribunal Act, 1985, the husband of the applicant died on 15-10-90, leaving behind four minor sons and widow. The wife of the deceased has made an application to the respondents for compassionate appointment. She had been called for interview on 11.3.91 but she has not heard anything about her appointment so far. She belongs to Scheduled Caste Community.

2. Learned counsel for the respondents said that her application had not been rejected, yet the number of persons seeking compassionate appointment was extremely large and, therefore, some delay was inevitable.

3. The applicant has been continuing in the quarter allotted to her deceased husband and interim direction was issued on 21-1-92 to the effect that the respondents are restrained from evicting her on applicant's liability to pay rent charges as per rules. Counsel for the respondents said that applicant has not paid any rent from 6-11-91 onwards. At this stage counsel for the applicant intervened to say that the applicant was prepared to pay rent, but respondents were charging damage rent @ Rs 1380/-P.Month, but the pension of the applicant is only 700/-Per month.

4. We have heard the learned counsels for both the parties, In view of the decision of the Hon'ble Supreme Court in the case of Mrs. Sushma Gosain and others V/s U.O.I. & Ors (AIR 1989 SC 1976) request of the applicant can not be postponed indefinitely on the ground of want of vacancy and the request has to be considered even by creating a supernumerary post ~~as~~ if inordinate delay to defeat the purpose is anticipated.
In view of the observations of the Hon'ble Supreme Court in the aforesaid case we direct the respondents to consider the request of the applicant on compassionate

grounds within a period of 4-months. Meanwhile the applicant may be allowed to stay on in the Govt. accommodation which she is now occupying subject to payment of rent according to rules on the subject. The applicant is directed to clear the arrears of rent within a period of 1 month from the receipt of a copy of this order.

With the above observations and direction, the case is disposed of with no order as to costs.

I.P.Gupta
(I.P.GUPTA)
MEMBER(A)