

(10) (11)

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1370 of 1997

Allahabad this the 09th day of February, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Km.Sudha Verma, D/o Late H~~irday~~ Narain Verma R/o
Mohalla Bhit, Mau Nath Banjhan, Distt. Mau.

Applicant

By Advocate Shri M. Islam

Versus

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager(Personnel), Sonepur.

Respondents

By Advocate Shri Amit Sthalekar

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

Late Sri H.N. Verma died in harness
on 18/9/97 while in the service of the respondents.
On his death, the applicant-Km.Sudha Verma-daughter of
Late H.N. Verma, through his second wife applied for
appointment on compassionate ground. As per applicant's
case, the matter was processed. She was called to appear
in the written examination and thereafter in the viva
voce test but appointment on compassionate ground was
refused to her on the ground of her entitlement and,
hence thereafter she has come up before the Tribunal.

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2. The respondents have contested the case and filed the counter-reply.

3. Heard, the learned counsel for the rival contesting parties and perused the record.

4. In this matter, a very short question is involved as to whether the daughter from second wife is entitled for appointment on compassionate ground while the deceased government employee who died in harness entered into second marriage during the life time of first wife. In this regard, copy of a Railway Board circular has been filed as annexure C.A.-1. According to which "appointment on compassionate ground to the second widow and her children are not to be considered unless administration has permitted the second marriage in special circumstances." With this circular in view if the facts and circumstances of the present matter are examined, it is evident that the applicant is daughter of the deceased through second marriage which was arranged during life time of his first wife and there is no case from the side of the applicant that this second marriage was arranged with the permission from the administration.

5. Under the circumstances, the relief sought for by the applicant, cannot be granted. The O.A. is dismissed accordingly. No order as to costs.

See n - out

Member (J)

/M.M./