

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

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Original Application No. 463 of 1998

this the 27th day of May 2002.

HON'BLE MR. S. DAYAL, MEMBER(A)

Smt. Pushpa Devi, w/o late Suresh Kumar, R/o C/o Sri Ram  
Dular Yadav, Constable, TY 241 Police Lines, Allahabad.

Applicant.

By Advocate : Sri P.K. Khare.

Versus.

1. Union of India through Secretary, Ministry of Human Resources, New Delhi.
2. The Director, Centre for Biochemical Technology, Mall Road near Jubilee Hall, Delhi.

Respondents.

By Advocate : Sri J.N. Sharma.

O R D E R (ORAL)

This application has been filed for setting aside the order dated 2.3.1998 and direct the respondents to make the payment of pension and other dues to the applicant including family pension with interest @ 18% per annum.

2. The applicant's husband was appointed as Helper on 12.1.1994. The applicant claims that her husband had completed three years on 11.1.1997 and died on 24.2.1997 and his case was sent for regularisation. It is claimed that S/Sri Anil Kumar, Khajan Singh & Jai Kishan, who were working as temporary status workmen, are also being considered for regularisation.

3. I have heard Sri P.K. Khare for the applicant and Sri J.N. Sharma for the respondents.

*[Signature]*

4. I find from Annexures 1 & 2 to the O.A. that the scheme of Casual Workers Absorption 1990 was adopted by the CSIR on 12.1.1994. It has been mentioned in the Scheme that temporary status would entitle a person to the benefit of counting 50% of his service rendered under temporary status for the purposes of retirement benefits only after regularisation of such a person. Thus, I find that by letter dated 2.3.98, the respondents have rightly stated that the casual workers given temporary status without availability of posts were not entitled to the benefits other than those mentioned in the CSIR's letter dated 27.6.94. The applicant has not been able to show her eligibility for family pension or compassionate appointment. Hence, the O.A. is found devoid of merit and the same is accordingly dismissed. No costs.



MEMBER (A)

GIRISH/-