

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

....

Original Application No. 464 of 1998

this the 27th day of May 2002.

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

Smt. Pushpa Devi, w/o late Suresh Kumar, Helper, R/o, C/o
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.

ORDER (ORAL)

This application has been filed for setting aside the order dated 2.3.98, and direct the respondents to appoint the applicant on the post of Class IV Group 'D' in place of her husband on compassionate grounds, under dying in harness rules.

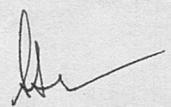
2. The applicant's husband was appointed as Helper in the year 1992. He completed three years service for conferment of temporary status on 12.1.1994, and was granted temporary status. The applicant's husband died on 24.2.97. The applicant in this O.A. seeks appointment to the post of Class IV Group 'D' on compassionate grounds on account of death of her husband. The applicant made a representation dated 23.12.1997, which was considered by the respondents and rejected on 2.3.1998.

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

4. I find that the respondents have rejected the prayer of the applicant for compassionate appointment on the ground that her husband himself was not having a regular appointment and that there was no post available, hence the applicant is not eligible for appointment on compassionate grounds.

5. I have perused the order dated 27.6.94 regarding grant of temporary status. From the order, it is clear that temporary status entitles a casual worker to grant of certain benefits on completion of prescribed period of work as daily wages/casual worker. The applicant's husband had not become a regular worker, but only was entitled to the benefit stipulated in the circular dated 27.6.94. The said benefits do not include the compassionate appointment. Therefore, the prayer of the applicant made in this O.A. cannot be allowed. The O.A. is dismissed as lacking in merits. There shall be no order as to costs.



MEMBER (A)

GIRISH/-