

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 1st day of November 2000.

Original Application no. 796 of 1998.

Hon'ble Mr. S.K.I. Naqvi, Judicial Member.

Smt. Kanti Devi,
W/o late Ashok Kumar,
R/o Plant Depot Moghalsarai,
Varanasi.

... Applicant

C/A Shri S.K Dey
Shri S.K. Mishra

Versus

1. Union of India through the General Manager,
E. Rly., Calcutta -1.

2. The Divisional Railway Manager, E. Rly.,
Moghalsarai, Varanasi.

... Respondents

C/Rs. Shri G.P. Agarwal

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O R D E R (Oral)

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

On the death of Smt. Sita Devi, her son appointment on Shri Ashok Kumar applied for compassionate ground under dying in harness rules. Before the process could be completed Shri Ashok Kumar also died leaving behind Smt. Kanti Devi, his serving widow. Now through this O.A. Smt. Kanti Devi has prayed for direction to respondents to consider her for compassionate appointment. This prayer was refused by the authority concerned, vide ^{ed} ~~their~~ ^{the} order dated 11.6.96, copy of which has been annexed as annexure A-2, which has been impugned in this O.A. with the prayer for direction as above.

2. Smt. Kanti Devi has rest her claim on the ground that she is the lady ^{in distress} ~~indress~~, after death of bread earner of the family ^{ie her mother-in-law} and, therefore, entitled for appointment on compassionate ground.

3. The respondents have contested the case and filed CA with the assertion that there is no provision or direction in this regard, according to which the daughter-in-law could be provided compassionate appointment on death in harness of her mother-in-law.

4. Heard Shri S.K. Dey learned counsel for the applicant and Shri G.P. Agarwal learned counsel for the respondents and perused the record.

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5. During the course of arguments, Shri S.K. Dey could not make out a case under which the direction could be issued, as prayed for in the O.A. No authority could be referred from the side of applicant under which the daughter-in-law could be provided compassionate appointment, on death of her mother-in-law. It is a definite position that mother-in-law and daughter-in-law cannot be referred under head of 'blood relations'.

6. For the above the O.A. is dismissed being devoid of merit. No order as to costs.

See again.
Member-J

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