

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Original Application No. 1367 of 2001.

this the 29th day of November 2001.

HON'BLE MR. RAFIQ UDDIN, MEMBER(J)
HON'BLE MR. C.S. CHANDHA, MEMBER(A)

Smt. Geeta Devi, W/o late Daya Shanker Dwivedi, R/o
19, Rampuram, Shyam Nagar, Kanpur.

Applicant.

By Advocate : Sri B.P. Srivastava.

Versus.

1. Union of India through the Secretary, Ministry of Finance, New Delhi.
2. The Central Provident Fund Commissioner, Mayur Bhawan, 9th Floor, Cannaught Place, New Delhi.
3. The Regional Provident Fund Commissioner, U.P., Kanpur.

Respondents.

By Advocate : Sri N.L. Gupta for Sri R.C. Joshi.

O R D E R (ORAL)

BY HON'BLE MR. RAFIQ UDDIN, MEMBER(J)

The applicant, who is working as Peon in the office of Regional Provident Fund Commissioner, U.P., Kanpur (respondent no.3), has filed this O.A. seeking directions to the respondents to consider her case for promotion on class III post on compassionate grounds. The applicant further seeks a direction to pay her difference of House rent and Electricity charges, which have been illegally recovered from her.

2. Briefly stated, the case of the applicant is that she was appointed on 20.9.1975 as Peon on compassionate grounds.

^{Further}
2 The case of the applicant is that she passed 'prathama' examination in 1979, which is equivalent to High School

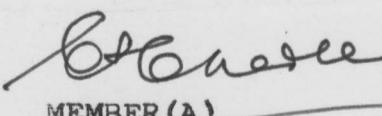
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examination and had also passed 'Madhyama' in the year 1984, which is equivalent to Intermediate examination. The applicant submitted an application before the respondents for her promotion on class III post on this ground, which have illegally been rejected by the respondents.

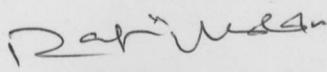
3. We have heard the parties counsel and perused the pleadings on record.

4. Since, admittedly the applicant was appointed on compassionate ground and acquired further educational qualification during her employment as class IV post, she cannot claim her promotion on compassionate grounds. In our considered opinion, the respondents have rightly rejected the prayer of the applicant. So far as the question of illegal recovery of House rent and Electricity charges from the applicant, it does not appear that the applicant filed any representation before the respondents.

5. We, therefore, dispose of this O.A. with liberty to the applicant to file a detailed representation before the respondents for her grievances, ^{In respect of recovery of house rent.} who will consider and pass an appropriate orders within a period of one month from the date of receipt of such representation. There shall be no order as to costs.


Girish
MEMBER (A)

GIRISH/-


Parvez
MEMBER (J)