

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 8TH DAY OF JANUARY, 2001

Original Application No.336 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Smt.Krishnawati devi, widow of
Shri Gupteshwar Upadhyay, safaiwali
Pass No.D/191 U.W.O Office No.4-A
F-S.B,Varanasi Cantt.

... Applicant

(By Adv: Shri G.K.Gupta)

Vs.

1. Union of India through Secretary
Ministry of Defence, Government
of India, new Delhi.
2. President No.4, Air Force
Selection Board, Varanasi
3. Air Officer Commanding 4,
A.F.S.B, Varanasi Cantt.

... Respondents

(By Adv: Shri D.S.Shukla)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA applicant has prayed for a direction to the respondents to allow her to sign the attendance register and pay salary to the applicant since December 2000 onward. The case of the applicant is that she was appointed on compassionate ground after death of her husband who died in harness and was serving Air Force as Watchman. The applicant applied for change of her trade and allow her to work as Laskar. As this representation was not decided, she filed OA No.1134/2000. The OA was disposed of finally with a direction to the respondents to decide her representation. The representation was decided on 16.1.2001 but thereafter she was not allowed to work on the post nor was paid salary.



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Shri D.S.Shukla learned counsel for the respondents has submitted that as the applicant was not prepared to work as safaiwali she has not come to join her duties from 23.11.2000. However, the case of the applicant is that she has been reporting every day but she was not allowed to sign the attendance register nor was she assigned any duty. Shri Shukla on behalf of the respondents, has given an assurance that if the applicant reports for duty, she will be allowed to work as safaiwali and shall also be paid salary but for the period she has not worked, it is submitted that she is not entitled for salary.

We have considered the facts and circumstances of the case. Applicant is a lady, she has grown up daughters. It is difficult to imagine that she after getting compassionate appointment would have left it so willingly without any reason. Considering the overall facts and circumstances in our opinion ends of justice will be served if the applicant is allowed payment of 50% of the back wages and is allowed ^f ~~her~~ to work on the post from the date ^{of} production of a copy of this order which shall not be later than two weeks

The OA is accordingly disposed of on the terms above terms and conditions. There will be no order as to costs.

A copy of this order shall be supplied to the counsel for the parties within three days.


MEMBER(A)


VICE CHAIRMAN

Dated: 08.1.2002

Uv/