

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 549 of 2001

Allahabad this the 31st day of May, 2002

Hon'ble Mr.C.S. Chadha, Member (A)

Smt. Baby w/o Late Sri Ghan Shyam, Mali Man, R.M.S.  
Kanpur, resident of 13/151, Parmat, District Kanpur.

Applicant

By Advocate Shri K.K. Tripathi

Versus

1. Union of India through Secretary, Post and Telecommunication Department, Government of India, New Delhi.
2. Post Master General, Head P.O. Kanpur.
3. Senior Superintendent of Railway Mail Service, Kanpur Division, Kanpur.
4. Chief Post Master General, U.P. Circle, Lucknow.
5. The Director General, Ministry of Communication Department of Post-Dak Bhawan, Sansad Marg, New Delhi.

Respondents

By Advocate Shri R.C. Joshi

O R D E R ( Oral )

By Hon'ble Mr.C.S. Chadha, Member (A)

The applicant is widow of one Shri Ghanshyam who was working in a Group 'D' post under the control

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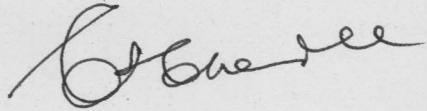
*Ghanshyam*

of the respondents. He had been incorrectly removed from service, as a result of which he and several others filed O.A.No.346/98. Unfortunately during the pendency of the said O.A., Shri Ghanshyam passed away on 26.07.00 and the O.A. was decided in his favour on 05.09.00. Because of his death, his son had been duly impleaded in the said O.A. According to the Judgment delivered on 05.09.00, the Tribunal had directed that the applicant shall be reinstated as a consequence of quashing of the removal order dated 16.03.98, with all consequential benefits. Therefore, had Shri Ghanshyam not passed away before this order he would not ~~be~~ only have been reinstated as a group 'D' employee but would have ~~also~~ also received further salary and other future ~~consequential~~ benefits from 16.03.98 till the date of his death. The action of the respondents is highly inhuman in view of the clear orders of the Tribunal and also amounts to contempt. They are lucky that action has not been initiated against them for contempt of this Tribunal.

2. In the circumstances mentioned above, the O.A. is allowed. The impugned order dated 26.07.00 denying retiral benefits to the widow and successors of the deceased, is quashed. The respondents are directed to give salary from 16.03.98 till the date of death of Shri Ghanshyam to his legal heirs on production of a succession

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certificate. The widow of the deceased-applicant in this case will also be entitled to family pension in accordance with rules. The case for compassionate appointment should also be considered strictly in accordance with rules. I feel that this is a fit case for awarding Rs. 1000/- as costs to the applicant. These orders should be fully complied with within a period of 3 months from the date of communication of this order. No order as to costs.



Member (A)

/M. M. /