

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No, 269 of 2004.

Allahabad, this the 17th day of January, 2005.

Hon'ble Mr. A.K. Bhatnagar, J.M.

Govind Prasad Bhatnagar,
aged about 41 years,
Son of Late Sri M.P. Bhatnagar,
R/o House No.770-A/580,
New Mumfordganj, Allahabad.Applicant.

(By Advocate : Shri R.C. Srivastava)

Versus

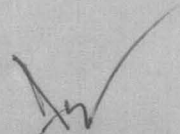
1. Union of India
through Secretary,
Ministry of Finance,
New Delhi.
2. Accountant General
Uttar Pradesh
(Lekha & Hakdari)
Office of Accountant General
U.P. Allahabad,
20 Sarojini Naidu Marg,
Allahabad.Respondents.

(By Advocate : Shri A. Sthalekar)

ORDER

By Hon'ble Mr. A.K. Bhatnagar, J.M. :

By this OA, the applicant has prayed for issuing a direction to respondents to decide the applicant's representation dated 5.3.1999 and 5.11.2003 which was duly received in the office of the respondent No.2 on 8.3.1999 and 5.11.2003 in accordance with law and provide appointment/employment to him on compassionate ground under dying in Harness Rules on suitable post as per his qualifications.



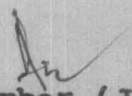
.....2.

2. The brief facts, giving rise to this OA are that the wife of the applicant i.e. Smt Rashmi Bhatnagar who was working as Senior Accountant in the office of respondent No.2 died in harness on 22.1.1999. The applicant being husband of Smt. Rashmi Bhatnagar applied for his appointment on compassionate ground under dying in Harness Rules. A Succession certificate issued by Civil Judge (Senior Division) Allahabad on 7.10.2002 has also been filed by the applicant in response to letter dated 22.5.2001.

3. The grievance of the applicant is that no action has been taken by the authorities concerned on his representation till date, hence he moved this OA. Learned counsel for the applicant submitted that the counter has been filed in this case by the respondents. He drew my attention on middle three lines of Para 9 which states that the representation is considered and decided as per rules as stated in Para 9 of the counter filed by the respondents. Middle 03 lines reads as under :-

"...the case of the petitioner for appointment on compassionate ground was again submitted before the Department Selection Committee in 2003 but again due to the shortage of vacancies the case of the petitioner was deferred for consideration in next year."

4. In view of the submissions made by counsel for the parties and on the basis of statement given in Para 9 of the counter, I am of the view that this OA can be finally disposed of by issuing a direction to respondent No.2 to consider and decide the representation dated 1.10.2002 (Annexure-A-3) as expeditiously as possible preferably within three months from the date of receipt of copy of this order. No costs.


Member (J)

RKM/