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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD

ORIGINAL APPLICATION NO.246 OF 2005

ALLAHABAD THIS THE 16TH DAY OF MARCH 2005

HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN
HON'BLE MR. D. R. TIWARI, MEMBER-A

Smt. Chanda,
Wife of Late Narendra Kumar,
Presently posted as Section Officer,
Office of The General Manager (Commerce),
North Eastern Railway,
Gorakhpur.

.....Applicant

(By Advocate Shri K. Ajit)

Versus

1. Union of India,
Through Secertary,
Ministry of Railways,
Rail Bhawan,
New Delhi.
2. The Railway Board,
Through its Chairman,
New Delhi.
3. General Manager (Personal),
North-Eastern Railway.
4. General Manager (Commercial),
North-Eastern Railway,
Gorakhpur.
5. Smt. Khedini daughter of Shri Ram Dhari,
Resident of Village-Pachari, Post Office-
Nandganj,
District-Gorakhpur.

.....Respondents.

(By Advocate Shri Anil Kumar)



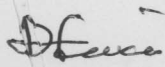
O R D E R

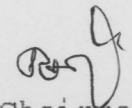
HON'BLE MR. JUSTICE S. R. SINGH, VICE-CHAIRMAN

A perusal of the impugned show cause notice dated 02.12.2004 would indicate that the dispute as to whether Smt. Khedni Devi and/or her son Vinod Kumar is entitled to claim compassionate appointment after the death of Narendra Kumar, a Government servant, in harness. Smt. Khedni Devi claims herself to be a legally wedded wife as against the claim of the applicant Smt. Chanda Devi. According to Smt. Khedni Devi, Smt. Chanda Devi was illegally given compassionate appointment even though she happened to be ^{the 2nd} ~~the~~ second wife of Narendra Kumar.

2. According to the show cause notice, the applicant has been called upon to show cause why appropriate action be not taken against her for procuring appointment by fraud and mis-representation. We do not find any ground to entertain this Original Application at the very threshold of the proceedings. The applicant may submit her explanation to the show cause notice, if so advised.

3. Accordingly the O.A. fails and is dismissed in limine. No Costs.


Member-A


Vice-Chairman

/NEELAM/