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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

Original Application No.509 of 1992

Smt. Lalti Devi } Applicants
Naresh Chandra }

Vs.

Union of India & Others Respondents

Hon'ble Mr. K. Obayya, Member (A)

Hon'ble Mr. S.N.Prasad, Member (J)

(By Hon'ble Mr. S.N. Prasad, J.M.)

The applicants have approached this Tribunal under Section 19 of the Administrative Tribunal's Act, with the prayer for directing the respondents to issue the appointment letter to the applicant No.2 Naresh Chandra for the post of Labour or for group 'D' post on compassionate ground.

2. Briefly stated the main grievance of the applicants is that the applicant No.1 is widow and applicant No.2 is son of deceased Kishan Chandra who worked as 'cook' in the Air Force and was under the control of respondent No.3 and was on harness on 20-5-1967. The Applicant No.2 is the eldest son of aforesaid Kishan Chand and having attained majority many years ago he is fit for the post of Labourer or for group 'D' post. A perusal of the Annexures A-1 to A-25 shows that the applicant No.1 has been making constant and persistent efforts to the authorities concerned and the eminent personalities

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of the country but ineffective.

This is noteworthy that perusal of annexure A-4 shows that in response to the application of the applicant No.1, Smt. Lalti Devi dated 17-8-72, (Annexure A-3), the Officer Commanding C.A.C., Air Force, Bamrauli, Allahabad (Respondent No.3) through his letter of September, 1972 had informed that since there was no vacancy at that time, her application will be considered as and when vacancy arises. (~~vide para 4~~).

A perusal of Annexure A-14 shows that necessary along with application of the applicant No.2 (Kumar) were sent to Head Quarter, Central Air I.A.F., through S.Q.R.L.D.T. long ago in 1977 and from the perusal of records it appears that, the grievance of the applicants could not get proper redressal so far. Though the matter has been delayed, but we think that mere delay may not be an impediment in giving proper redressal to the grievance of the applicants, if vacancy exists.

We have heard the learned Counsel for the applicant and have perused the records of the case. The learned Counsel for the applicant has urged that a direction to the respondents in this matter will go a long way in substantially deciding the matter in its entirety.

6. Having considered all the facts and circumstances of the case and aspects of the matter we find it expedient in the interest of justice to direct the respondents to consider the matter of the applicant No.2 Naresh Chandra, (who is son of deceased Kishan

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Chand, who died in harness) on compassionate ground in giving appointment to him on the post of Labourer or for group 'D' post from proper perspective and take a decision in the matter within 3 months from the date of the receipt of a copy of this order in accordance with rules and we order accordingly. The applicants are also directed to furnish the particulars and to fulfil the procedural formalities, if any, as and when directed by the respondents during the aforesaid period of three months.

7. The application of the applicants is ^{disposed} ~~disposed~~ of as above at admission stage. No order as to the cost.

Member(J)

10.4.92

Member(A)

Dated 10th April, 1992. Allahabad.

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