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CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

O.S.No.13 of 1993

Smt. Sonia Devi ... Applicant

Verus

Union of India & others ... Respondants

Hon. Mr. Justice U C. Srivastava, V.C.

Hon. Mr. V K. Seth, A.M.

By Hon'ble Justice Mr.U.C.Srivastava-V C)

The applicant's husband Sri Prama Hans was originally appointed as Locally Controlled Group D Civilian Employee paid from the Defence estimate. He was promoted to the post of chargeman before his death which took place in the hospital as a result of operation of cancer. The applicant's husband died in harness while he was in service. The applicant's husband was lastly served at Central Ordnance Depot Kanpur. The applicant's husband had left behind two minor sons, one marriageable daughter and four minor daughters and his widow. The applicant having 7 children and her husband has ~~died~~ died after a long treatment. The applicant ~~was~~ received a meagre amount of insurance scheme and a sum of Rs.36000/- only as death gratuity which according to her was spent in the marriage of her daughter. The applicant is receiving Rs.720/- per month as family pension which after 29.6.1984/ reduced ^{is}

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to Rs 432/- till her death, and that this meagre income is quite small and insufficient to maintain the family. The applicant was advised to move an application for compassionate appointment as per assurance of the Commandant that her application has been considered expeditiously according to the Govt Scheme. The applicant filed an application for compassionate appointment for the post of Mazdoor on 2.9.87. After submitting of the application and other connected papers, to the respondent no.3, the applicant ~~was~~ anxiously waited for her appointment but no appointment has been made. The applicant was asked to report on any working day for completion of certain papers at the Central Ordnance Depot Kanpur which was completed by the applicant but even then no appointment was made, ^{As} ~~xxx~~ two years have completed, there after the respondent vide his letter on 13th Dec. 1989 intimated the applicant that her case ^{office} was considered by the Director of Board with other cases. There are more observing cases and limited number of vacancies, hence her application can not be considered and that is why she approached this tribunal.

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2. It appears that the respondent is still of understood that the court will please to give the compassionate appointment to the applicant. The applicant has categorically stated that she is entitled for the compassionate appointment and she is getting Rs. 720/- as family pension to meet her bare necessities with other children and it can not be said that she does not observe the case merely because the applicant's genuine and fit case for appointment has been rejected as it was not binding upon the matter. But it appears that the respondents have not considered the application as the matter of fact, the application should have been considered categorically but the fact that it was not considered. It is not necessary to make a reference ~~to~~ the directions which have been issued by the Supreme Court the ~~in~~ number of the cases as the position is quite clear here. Accordingly, the respondents are directed to reconsider the application and decided the matter which is pending for a period of 2 years, for the reasons best known to them. Respondents are further directed to reconsider the application

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of the applicant within a period of three months
from the date of communication of this judgment.

3. In view of the above observations, the
application stands disposed of finally with
the above observation. No order as to the cost.

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MEMBER (A)

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VICE CHAIRMAN

DATED 13.4.1993

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