

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NO 1161 OF 2000

FRIDAY, THIS THE 17th DAY OF OCTOBER, 2003

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.

1. Mahendra Kumar Singh s/o Late Braj Mohan
ages about 25 years,
2. Smt. Usha Devi w/o Late Braj Mohan
3. Mukesh Kumar Singh s/o Late Braj Mohan
4. Dinesh Kumar Singh s/o Late Braj Mohan
5. Km. Jyoti alias Rubby d/o Late Brij Mohan
All resident of 781, University Road, Old Katra,
Allahabad.

.....Applicants

(By Advocate : Shri C.K. Parikh)

V E R S U S

1. Union of India through the Secretary,
Ministry of Defence, New Delhi.
2. The Director General, E.M.E.(EME Civil-2) Army
Headquarter, D.H.Q. P.O., New Delhi-110 011.
3. The Commandant & Managing Director, 508 Army
Base Workshop Fort, Allahabad.
4. Establishment Officer, 508 Army Base Workshop,
Allahabad.
5. Central Labour & Welfare Officer, 508 Army Base
Workshop, Allahabad.
6. Secretary, Ministry of Personal Public Grievances
and Pension Departments of Personal and Training
Government of India, New Delhi.

.....Respondents

(By Advocate : Shri Ratnaker Chaudhary)

O R D E R

BY Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. filed under section 19 of Administrative
Tribunals Act, 1985, the applicants have challenged the order



dated 27.04.2000 (Annexure-1) by which the appointment of applicant on compassionate ground has been rejected.

2. The facts of the case, are that father of the applicants Late Brij Mohan was serving as U.D.C. in establishment section, 508 Army Base Workshop Fort Allahabad. He died on 02.11.1995 leaving behind widow, one unmarried daughter and 4 sons. Application was filed on 05.12.1995 claiming compassionate appointment to Manoj Kumar Singh. However, he also died on 07.10.1996. Thereafter another application was filed on 14.10.1996 claiming appointment for applicant Mahendra Kumar Singh, which has been rejected by the impugned order. It is not disputed that applicants received Rs.3,65,209/- as terminal benefits. After the death of Late Brij Mohan, applicant No.2 is getting family pension of Rs.3,663/-. They are residing in their own house. Thus, the view taken by the respondents does not appear to be correct.

3. Learned counsel for the applicant has submitted that much of the amount was spent in treatment of Manoj Kumar Singh and daughter Jyoti. However, such problems in a family are common and they are to be faced. It cannot be denied that deceased left behind 3 sons who can earn to maintain the family. In the circumstances, I do not find any ground calling for interference with the impugned order. The O.A. has no merit and is accordingly dismissed. No order as to costs.


Vice-Chairman

shukla/-