

(Open Court)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

Dated, Allahabad, this 10th day of January, 2001

CORAM : Hon'ble Mr. Rafiq Uddin, Member (J)

Original Application No. 231/2000

Smt. Sonia Devi wife of Late Mishri Lal  
Resident of 155-C Sujatganj, Siyaram Ka Hatha  
C.O.D. Kanpur

..... Applicant

Counsel for the applicant : Shri S.K. Yadav

V E R S U S

1. Commandant, Kendriya Ayudh Bhandar  
Central Ordinance Depot., Kanpur
2. Union of India, through its Secretary,  
Ministry of Defence, Government of India,  
New Delhi

..... Respondents

Counsel for the Respondents: Shri S. Chaturvedi

O R D E R

(Open Court)

( By Hon'ble Mr. Rafiq Uddin, JM )

The applicant Smt. Sonia Devi is widow of Late Mishri Lal who <sup>while</sup> ~~was~~ working as a permanent employee in the Central Ordinance Depot, Kanpur, died on 18.7.1993. After the death of her husband the applicant applied for her appointment on compansionate ground vide her application dated 17.1.1994. The Respondent No.1 vide his letter dated 19.2.1994 asked the applicant to submit application in prescribed proforma which was duly submitted before the Respondent No.1. The applicant was informed by Respondent No.1 vide his letter dated 12.11.1997 that her case would be considered by the Board. Later on the applicant was informed vide letter dated 28.5.1997 and again vide letter dated 10.4.1998 that due to limited vacancy applicant could not be appointed in any post. The applicant was also advised to resubmit her application for consideration along with her Registration number with the local Employment Exchange. The applicant

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again submitted her application dated 10.5.1998 which is still pending for consideration. The applicant has, therefore, moved the O.A. for issuing direction to the Respondents to appoint her in suitable post on compassionate ground.

I have heard Shri L.M.Singh brief holder for Shri S.K.Yadav, Learned Counsel for the applicant and Shri Pankaj Srivastava brief holder for Shri C.Chaturvedi, Learned Counsel for the Respondents.

Learned Counsel for the Respondents has reiterated the contention that the applicant could not be appointed due to limited vacancy and also for availability of more deserving candidates. It is evident from the perusal of the letter dated 10.4.1998 (Annexure 6 to the application) that the Respondents have not rejected the claim of the applicant finally. The Respondents have only, on the other hand, advised the applicant to submit fresh application for reconsideration. The applicant has, however, submitted fresh application dated 1.6.1998 which is still pending before the Respondents for reconsideration of her case. It is contended that deceased employee was Class IV and the applicant has one daughter and one son and has no other source of income. It is also pointed out by the Learned Counsel for the applicant that some appointments on compassionate ground has been given to the family members of some other employees who died after the death of applicant's husband. The Respondents have also not filed any details of the workers who were said to be most deserving than the applicant and have been appointed on compassionate ground. Consequently the O.A. is disposed of with the direction to the Respondents to reconsider the case of the applicant for her appointment on compassionate ground sympathetically and pass suitable

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order within 3(three) months from the date of communication of this order on the application of the applicant dated 1.6.1998.

There will be no order as to cost.

*Rafiq Juddu*  
JM

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