

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD

ORIGINAL APPLICATION NO.968 of 2000.

Friday, this the 28th February 2003.

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

Smt. Neelam Rani  
widow of late Sri Manoj Kumar  
resident of 31/2 Dharmapur residing at  
present main post Office complex,  
Roorkee District Haridwar.

.....Applicant.

(By Advocate: Sri S.P. Singh)

Versus.

1. Union of India  
through Secretary  
Ministry of Defence,  
New Delhi.
2. The General Manager  
Opto Electronics Factory,  
Raipur, Dehradun.
3. The Chairman,  
Ordnance Factories Board,  
Auckland Road,  
Calcutta (West Bengal)
- 44 Smt Maya Devi  
wife of late Sri Jai Singh  
resident of 31/2, Dharampur,  
Dehradun.

.....Respondents.

(By Advocate: Km. S. Srivastava)

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By this application filed under section 19 of Administrative Tribunals Act, 1985, the applicant has challenged the order dated 31.07.2000 (Annexure-I) by which claim of the applicant for appointment on compassionate ground has been rejected on the ground that her relation with mother-in-law Smt. Maya Devi are strained and in the circumstances, if the appointment on



compassionate ground is given, there is possibility that the applicant shall not look after the <sup>dependant</sup> ~~father~~ of the deceased employee.

2. It has also been mentioned that a suit was filed by mother-in-law registered as O.A. No.174 of 2000 in the Court of Civil Judge (Junior Division) Dehradun for restraining the defendant No.2, General Manager, Opto Electronics Factory, Raipur, Dehradun from granting pay and family pension to applicant Smt. Neelam Rani.

3. In the circumstances, it cannot be said that the impugned order suffers from any error of law. Counsel for the applicant, however, submitted that now the difference between applicant and respondent No.4 have sorted out and they are living together under same roof and the apprehension expressed in the order, is not justified. Considering this aspect, in my opinion, the applicant and respondent No.4 may be given fresh liberty to make a joint application before the respondent No.2 for granting appointment on compassionate ground. The joint application shall <sup>contain</sup> ~~contain~~ the terms and conditions agreed between applicant and respondent No.4, and the respondents thereafter, shall re-consider the claim of applicant for appointment on compassionate ground. It shall be open to respondents to put further <sup>conditions</sup> ~~consideration~~ to ensure that respondent No.4 will <sup>be</sup> ~~looked~~ after well by the applicant, if appointment is given and in that case, a condition may be attached that if the direction is violated, the appointment shall come to an end. Subject to aforesaid, this O.A. is disposed of finally. No order as to costs.

  
Vice - Chairman

shukla/-