

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1502 of 2002.

Allahabad, this the 2nd day of March, 2005.

Hon'ble Mr. A.K. Bhatnagar, J.M.

1. Urmila Singh,
W/o late Sri Mahendra Pratap Singh.

2. Ajai Pratap Singh
S/o Mahendra Pratap Singh

Both resident of 1/5 Sewagram Colony
Dada Nagar Kanpur.

....Applicant.

By Advocate : Shri S.C. Tiwari
Shri H.S. Srivastava

Versus

1. The Union of India,
through Defence Secretary,
South Block, New Delhi.

2. The Controller General Defence Accounts
(C.G.D.A.) West Block-5, R.K. Puram,
New Delhi.

3. The P.C. of F&A the Principal Controller
of Finance and Accounts, 10A S.K. R. Bose Road
Kolkata.

4. The Controller of Finance,
Account Audit Upasker Bhawan G.T. Road
Kanpur.

.....Respondents.

(By Advocate : Shri S. Singh)

O R D E R

By Hon'ble Mr. A.K. Bhatnagar, J.M. :

By this OA, the applicant has prayed for a
direction to give suitable pest by virtue of proper

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appointment as per qualification of applicant No.2 and pay him salary according to law on compassionate ground under Dying in Harness Rules.

2. The brief facts as per the applicant are that the father of the applicant died on 14.6.2002, while working as Accounts Officer in the respondents establishment. An application was sent to the department by the mother of the applicant on 11.7.2002 (Annexure-2) to appoint his son on compassionate ground. The mother of the applicant approached the Authority and was told ^{that} ~~the~~ matter is under consideration and she will be informed accordingly. When no action was taken by the department she filed this OA.

3. Learned counsel for the applicant pointed out that in Para 10 of the counter affidavit filed by the respondents ^{where} it has been admitted that the case of the applicant is still under consideration and administrative action is not completed so final decision has been taken in this case.

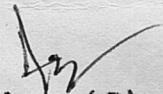
4. I have gone through Para 10 of the counter affidavit wherein it has specifically ^{been} ~~stated~~ that the matter is under consideration and administrative action is not completed so no final decision has been taken in this case. The report furnished by the welfare officer is under active consideration.

5. Learned counsel for the respondents resisting the claim of the applicant, filed a counter affidavit and submitted that the application filed before this Tribunal is premature as no final decision has yet been arrived by the department.

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6. After hearing the counsel for the parties, I deemed it appropriate to issue direction to Competent Authority/Respondent No.3 to take early decision in the matter, in view of the statement already made in Para 10 and Para 11 of the counter affidavit, ^{properly} within a period of four months from the date of receipt of copy of this order.

7. Accordingly, the OA is finally disposed of with a direction to Competent Authority/Respondent No.3 i.e. P.C. of F & A the Principal Controller of Finance and Accounts, to decide the matter as stated in para 10 of the counter affidavit by a reasoned and speaking order within a period of four months from the date of receipt of copy of this order. No order as to costs.


Member (J)

RKM/