

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 5th day of May 2003.

QUORUM : HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

O. A. No. 226 of 2002

Vijay Shama W/O Late Virendra Kumar Shama R/O Doorvani  
Nagar, Opp. Pragati Puram Colony, Kallu Ka Purwa, Rai Bareilly  
..... .... .... Applicant.

Counsel for applicant : Sri S.K. Om.

Versus

1. Union of India through Secretary, Ministry of Post & Telegraph, New Delhi.
2. Post Master General, Allahabad.
3. Senior Superintendent of Post Offices, Allahabad.
4. Dhaneshwari Devi W/O Late Jamuna Prasad Shama R/O 9-1, Ramanand Nagar, Allahpur, Allahabad.
5. Manta Shama D/O Late Jamuna Prasad Shama R/O 9-1, Ramanand Nagar, Allahpur, Allahabad.

..... .... .... Respondents.

Counsel for respondents : Sri G R Gupta & Sri S.K. Maurya.

ORDER (ORAL)

BY HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

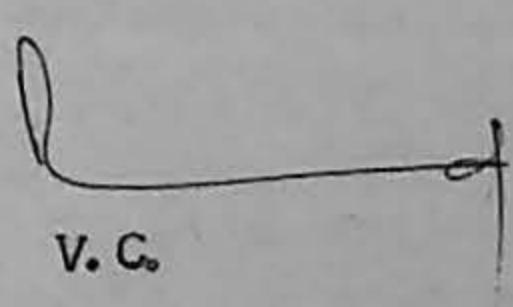
By this O.A. filed under section 19 of A.T. Act, 1985, the applicant has prayed for a direction to respondents to appoint her on a suitable post on compassionate ground. She has also prayed for a direction to respondents to pay the amount of DCRG and General Insurance Scheme of her husband Late Virendra Kumar Shama. It is not disputed that for payment of amount of gratuity and amount of GIS, applicant has already filed O.A. No.244/02 in the court of Civil Judge (Sr.Division), Allahabad, which is pending and in which Respondents 4 and 5 are also party. As the dispute is pending in Civil Court, it is not necessary for this Tribunal to adjudicate on this question regarding payment



of the amount. The parties may get their dispute settled from Civil Court and the respondents authorities may pay the amount of DCRG and GIS to the party which is found entitled in the suit.

2. The next prayer of the applicant is for appointment on compassionate ground. The husband of the applicant Late Virendra Kumar Sharma was serving as Postal Assistant. He joined service on 23.7.1994 and died on 30.6.2000. It is submitted by the applicant that he was the only bread earner for the family and her appointment on compassionate ground is necessary to maintain the same. Counsel for the applicant submitted that for the aforesaid relief, applicant has already submitted application on 13.11.2001 which is pending before the Postal authorities. It is submitted by learned counsel for respondents that according to the directions given by the Director of Posts, <sup>General</sup> the C.P.M.G. is the competent authority to pass orders with regard to compassionate appointment. The applicant is, thus, given liberty to make a fresh representation before C.P.M.G. claiming appointment on compassionate ground. If the representation is so filed, the same will be decided within three months by passing a reasoned and speaking order from the date a copy of this order is filed before him.

3. Subject to aforesaid, the O.A. is disposed of finally with no order as to costs.

  
V.C.

Asthana/