

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

DIARY NO. 193 OF 2003

ALLAHABAD THIS THE 7TH DAY OF FEBRUARY, 2003
ORIGINAL APPLICATION NO. 205 OF 2003

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Smt Poonam Gupta,
widow of late Krishna Murari Gupta,
resident of village and post
office Birpur,
District Ghazipur.Applicant

(By Advocate Shri V.K. Srivastava)

Versus

1. Union of India,
through Secretary Ministry of Home Affairs,
New Delhi.
2. Apar Police Up Maha Nirikshak,
Central Reserve Police Force Group Kendra,
Jalandhar.
3. Commandant 98 Batalian,
Central Reserve Police Force,
Sarangpur, Nizamabad.
4. Apar Police Up Maha Nirikshak,
Central Reserve Police Force,
Group Kendra, Allahabad.Respondents

(By Advocate Shri N.C. Tripathi)

ORDER

direction
This O.A. has been filed by Smt. Poonam Gupta claiming for
quashing of the orders dated 09.02.02 and 07.08.2001 and a further
direction to the respondents to make the appointment of applicant
to a suitable post as per her qualification under the provisions
dying in harness Rules. Perusal of the impugned order shows that
this order was passed by D.I.G. Group Central Reserve Police Force,

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Jalandhar, and in her own averment applicant has stated that her husband was a permanent Constable in Central Reserve Police Force who was ~~shot~~ dead on 03.09.1997. Thereafter, she claimed for compassionate appointment from the respondents, but the same has been rejected. Without going ⁱⁿ to the merit of the case ~~in~~ ^{Order 12} since applicant is claiming compassionate appointment ~~on~~ the death of her husband, who was a member of C.R.P. F., which is an armed force, this case would not be maintainable in the Tribunal. Contention of the applicant's counsel is that since applicant is not a member of the force and she was claiming appointment against the civilian post, therefore, this court would have the jurisdiction. He has relied on 1996 (4) ETC 495 Full Bench judgement but a reading of the judgement shows that the said case was filed by casual labour engaged in GREF. It was held that they were not members of G.R.E.F., Therefore, Tribunal had no jurisdiction over the said case. I do not think that applicant can get any benefit from this judgement because she is claiming benefits of compassionate appointment, simply because she is the wife of Late Shri Krishna Murari Gupta who was admittedly a constable in CRPF, Therefore, in my considered opinion this case would not be maintainable in the Tribunal.

2. Accordingly, this O.A. is dismissed as not maintainable, However, applicant would be at liberty to seek redressal of her grievances in appropriate forum.

3. There shall be no order as to costs.



Member-J

/Neelam/