

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 526 of 2003

Allahabad, this the 14th day of May, 2003

QUORUM : HON. MAJ. GEN. K.K. SRIVASTAVA, MEMBER (A)

Smt Kushum Devi
W/o Late Gama Ram
resident of 311/241 Chak Niratul,
G.T.B. Nagar, Allahabad.

.....Applicant.

(By Advocate : Sri S.Lal)

V E R S U S

1. Union of India, Through its Secretary Ministry of Defence, New Delhi - 110011
2. Dy. Director General, Military Farms, Army Headquarters, DHQ P.O. New Delhi - 110011
3. The Director, Military Farms, Headquarters Central Command, Lucknow (U.P.).
4. Officer Incharge, Military Dairy Farm, Allahabad.


.....Respondent.

(By Advocate : Sri R.C. Joshi)

O R D E R (Oral)

BY HON. MAJ. GEN. K.K. SRIVASTAVA, MEMBER (A)

In this O.A. filed under section 19 of Administrative Tribunal Act, 1985 the applicant has prayed for direction to




the respondents to consider the case of the applicant for the post of Group 'D' as civilian employee anywhere in India including Military Farm, Allahabad on compassionate ground.

2. The facts of the case are that the applicant's husband Sri Gama Ram was serving in Military Farm, Allahabad as a permanent Farm Hand Group 'D' civilian post. Sri Gama Ram died in harness on 01.4.01. The applicant applied for compassionate appointment in the respondents establishment on 16.7.01 (Annexure AI).

3. The learned counsel for the applicant has submitted that the family is in financial distress. The applicant who is wife of Late Gama Ram has five children to look after, all minor and there is no second bread earner. The applicant ^{has} received total Rs.83295/- after the death of her husband and this amount in the present day scenario is not sufficient to subsist. She has two minor daughters, one aged 14 years and one aged 10 years. In case she is not given a compassionate appointment, it is not only she but all the children will be on the ^{brink} of destitution. Coupled with it, it will not be feasible for the applicant to undertake the marriage of her daughters ^{when} the time is ripe for the same. The applicant has submitted the complete information in the prescribed proforma as required under rules on 09.10.02 (Annexure A 5).

4. It has been stated by the applicant's counsel that the application of the applicant has been forwarded to respondent no, 3 i.e. Director, Military Farms, Headquarters Central Command, Lucknow in October itself. The grievance of the applicant is that though more than 06 months have ^{elapsed} ~~passed~~ she has not been communicated any ^{decision} ~~reply~~ so far.




5. Sri G.R.Gupta appearing on behalf of respondents submitted that O.A. appears to be pre-mature as an application complete in all respect in regard to compassionate appointment has been filed before respondent no. 4 only in Oct, 2002. The cases of compassionate appointment are decided by Army Headquarters and it takes time in ⁱⁿ ~~present~~ processing the application through Command Headquarters.

6. I have heard counsel for the parties and perused the records. The claim of the applicant for compassionate appointment in family circumstances, as stated in the O.A., ^{by} ~~deserve~~ ⁱⁿ ~~merits~~ ⁱⁿ consideration.

7. In the facts and circumstances, as stated above, the O.A. is finally disposed of at admission stage itself with ^{in Military} direction to respondent no. 2 i.e. Deputy Director General Farms, Army Headquarters to decide the case of the compassionate appointment of the applicant within a period of ~~six~~ months by reasoned and speaking order from the date of the communication of this order. The applicant is given liberty to send the copy of the application dated 09.10.2002 complete in all respect which was submitted before respondent no. 4 to respondent no. 2 along with a copy of this order within 03 weeks.

No costs.


Member (A)

Brijesh/-