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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.1374 of 2006.

Allahabad, this the 12th day of February, 2008

Hon'ble Mr. Justice Khem Karan, Vice-Chairman

Smt. Gangotri Devi, widow of late Singhansan Prasad,
Aged about 24 years, R/o N-10/63 C-Cha, Jaypisonagar,
Patianroad, Kakarmata, Varanasi.

...Applicant.

(By Advocate :Shri S.K. Om)

Versus

1. Union of India, through General Manager,
Diesel Locomotive Works, Varanasi.
2. Chief Personnel Officer, Diesel Locomotive
Works, Varanasi.
3. Rajni Devi divorced wife of late Singhansan
Prasad R/o N-10/17/K, Lakhrau Bazer Diha,
Varanasi.

...Respondents.

(By Advocate : Shri A.K. Pandey
Shri M.M. Sahai

O R D E R

The applicant Smt. Gangotri Devi, claims herself to be legally wedded second wife of Late Shri Singhansan Prasad, who died in harness on 26.4.2006. According to her, Late Shri Singhansan Prasad divorced his first wife Rajni Devi (respondent No.3) on 27.11.2000 and thereafter married ~~with~~ the applicant in accordance with prevalent custom. She says that after the marriage, she lived with Late Shri Singhansan Prasad. She alleges that on the death of Late Shri Singhansan Prasad, she represented to the respondent No.2 for giving her compassionate appointment under dying-in-harness rules. She complains that her claim has not been considered so far. It appears from the reply filed by the respondents especially respondent No.3

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that the case of Rajni Devi is that she was not divorced as per law and continued to be wife of Late Shri Singhansan Prasad till his death and so the marriage in between Late Shri Singhansan Prasad and the applicant is not valid one. Rajni Devi ~~has~~ also ~~seeks~~ her claims ~~for~~ her compassionate appointment. The respondents have not passed any order on the request of the applicant or on the request of Rajni Devi for compassionate appointment. It seems just and proper to dispose of this OA with a direction to respondent No.2 to pass suitable orders on the request of the applicant for compassionate appointment in the light of the relevant rules and also in the light of claim of respondent No.3.

2. So, the OA is finally disposed of with a direction to respondent No.2 to consider the case of the applicant for compassionate appointment in the light of relevant facts and in the light of guidelines on the subject and pass suitable orders, within a period of three months from the date ~~of~~ a certified copy of this order is produced before him. The applicant and respondent No.3 shall be given opportunity to file detailed representations and papers in support of their respective claims. No costs.

1, Jm, aw
12/2/08
Vice-Chairman

RKM/