

(7)

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

ORIGINAL APPLICATION NO. 152 OF 2006

ALLAHABAD THIS THE 13TH DAY OF JULY 2007.

Hon'ble Mr. Justice Khem Karan, V.C.

Manorma Vishwakarma,
Wife of late Satish Chandra Vishwakarma,
Resident of 97 Meerpur Cantt. Kanpur Nagar.

.....Applicant

(By Advocate: Sri Udai Bhan Singh)

Versus.

1. Union of India through its Secretary, Ministry of Defence, North Block, New Delhi.
2. Secretary, Defence Production Khand Supply, Defence Ministry, Govt. of India, South Block, New Delhi.
3. Addl. Director General of Ordinance Equipment Factory (D.G.O.F group head quarters, Ayudh Upaskar, Bhawan, Kanpur.
4. General Manager Ordinance Equipment Factory, Kanpur.

.....Respondents

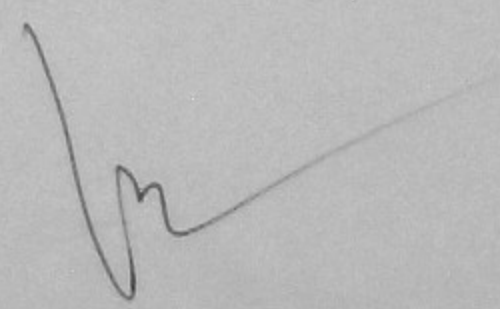
(By Advocate: Sri V. V. Mishra)

ORDER

Heard Sri Udai Bhan Singh, learned counsel for the applicant on admission of this O.A.

2. The applicant, Manorma Vishwakarma, is the widow of late Satish Chandra Vishwakarma, who died on 16.8.2001, while still in service of respondents' office. The grievance of the applicant is that inspite of fact that economic condition of the family is extremely poor and has no sufficient means to sustain itself, her request for compassionate appointment has wrongly been turned down and appeal filed against the rejection, has also been dismissed without due consideration.

3. It transpires from material on record that on death of late Satish Chandra Vishwakarma, the family received an amount of Rs.2,42,708/- in the shape of terminal benefits and applicant is also getting family pension at

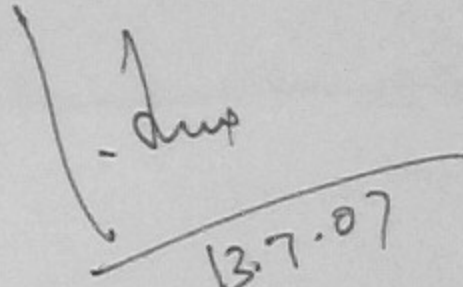


the rate of Rs 3576/- (inclusive Dearness Relief). It also transpires that her case was considered thrice by the Board of Officers but considering other more genuine cases and limited number of vacancies for this purpose, her case was rejected.

4. Shri Udai Bhan Singh, the learned counsel for the applicant has submitted that whatever the applicant received in the shape of terminal benefits was spent in repaying the loans taken by the family for meeting the medical expenses and meagre ^{amount} of family pension, is not sufficient enough. Learned counsel for the applicant has also referred to a decision in *Sangam Kumar Shukla Vs. Union of India and others* reported in (2005) 2 UPLBEC page 1230 so as to support his submission that amount spent in repaying the loan has to be excluded from considering the amount so received in the shape of terminal benefits.

5. I am of the view that the case is not worth admission and deserves to be dismissed. The reason is that nothing concrete has been shown or alleged as to how rejection could have been said to be vitiated. The applicant is getting family pension at the rate of 3576/- (inclusive ^{of} Dearness Relief) and so it is difficult to say that her economic condition is more acute. Moreover, I do not know about the economic condition of persons, whose cases were recommended for such appointment by the Board of Officers. Compassionate appointment is by way of exception, ^{and} is not regular mode of recruitment, so the O.A. is not admitted and is dismissed.

No costs.


13.7.07

Vice-Chairman

Manish/-