

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD  
BENCH ALLAHABAD**

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(THIS THE 27<sup>TH</sup> DAY OF **MAY** 2009)

**Hon'ble Mr. A.K. Gaur, Member (J)**

**Original Application No. 357 of 2006**

(U/S 19, Administrative Tribunal Act, 1985)

1. Smt. Pushpa Devi wido of late Govind Swami, R/o 98 Lal Kurti Bazar, Agra, Cannt. 282001.
2. Rajesh Swami Son of Lage Govind Swami, R/o 98 Lal Kurti Bazar, Agra Cannt. 282991.

..... *Applicant*

*By Advocate : Shri M.K. Upadhyay*

*Versus*

1. Union of India through Secretary Ministry of Defence, North Block, New Delhi.
2. Director General of Ministry Operations General Staff Branch, Army Head Quarter. New Delhi.
3. Officer Commanding 12 ground Air Survey, Liaision Platoon Air Force Station Agra.

..... *Respondents*

*By Advocate : Shri S.N. Chatterji*

**OR D E R**

(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

I have heard Shri M.K. Upadhyay, learned counsel for the applicant and Shri D.N. Mishra, brief holder of Sri S.N. Chatterji. Learned counsel for the applicant invited my attention to the letter dated 5<sup>th</sup> September, 2002 (Annexure-12 to the O.A.) and submitted that vide letter dated 5.9.2002 certain quarries/documents were asked from the applicant

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(Smt. Pushpa Devi). All the four queries were replied by the applicant and all the documents in pursuance to letter dated 5.9.2002 were given by the applicant to the Competent Authority.

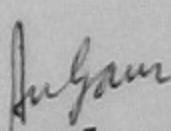
2. Learned Counsel for the applicant would further contend that letter dated 19.11.2004 deals with Employment Assistance Under indigent circumstances. It is intimated that documents for compassionate appointment of Rajesh Swami, Daftary were forwarded to E-in-C's Brach (EIC Section) Army HQ through Addl Dte Gen of Mil Svy (GSGS). The same has been returned to this unit unactioned through Addl Dte Gen Mil Svy (GSGS) vide letter dated 2<sup>nd</sup> October, 2004.

3. Learned counsel for the applicant contended that applicant has also preferred a representation dated 16.12.2004 (Annexure-18 to the O.A.) for redressal of his grievances and requested to consider his case for appointment on compassionate ground to the competent authority i.e. Officer Commanding 12<sup>th</sup> Ground, Air Survey and other respondents but the same yielded no fruitful result. Learned counsel for the applicant stated that his grievance might be redressed, in case a direction is given to the competent authority to consider and decide the representation of the applicant by reasoned and speaking order within a specified period of time.

4. Learned Counsel for the respondents has no objection, if such a direction is given.

5. Competent authority/Respondent No.2 is directed to consider and pass appropriate reasoned and speaking order on pending representation of the applicants dated 16.12.2004 (Annexure-18 to the O.A.) within a period of three months from the date of the receipt of a certified copy of the order. While deciding the representation of the applicant the O.A. may be treated as a part of the representation.

6. Be it noted that I have not passed any order on merits of the Case. In view of the aforesaid directions the O.A. is disposed of.

  
**Member-J**

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