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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 27th day of JULY 2007

Original Application No. 576 of 2006

Hon'ble Mr. P.K. Chatterji, Member (A)

Pratima Verma, D/o late Rajkumar Verma, R/o House
No. 116/546, Rawatpur, Kanpur Nagar.

. . . .Applicant

By Adv: Sri K.A. Singh

V E R S U S

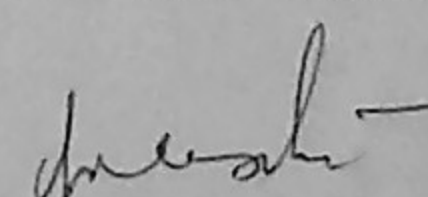
1. Union of India through the Secretary, Ministry
of Defence, New Delhi.
2. General Manager, Small Arms Factory, Kalpi
Road, Kanpur Nagar.

. . . .Respondents

By Adv: NIL

O R D E R

This OA pertains to request for compassionate appointment filed by one Pratima Verma daughter of late Raj Kumar Verma who died while in service before respondent No. 2 about two years before his retirement. He was employed under General Manager, Small Arms Factory, Kalpi Road, Kanpur Nagar. It has been stated by the applicant's counsel that immediately after the death of her father in October 2004 representation was made in January 2005 under dying in harness rules. It has been stated that the representation which was followed by subsequent reminders dated 14.06.2006 and 12.08.2006 were still



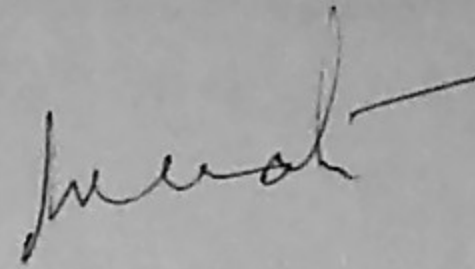
pending before respondent No. 2. Therefore, he has sought direction of this Tribunal to respondent No. 2 to consider and decide the grievance of the applicant and provide appointment under compassionate rules.

2. During preliminary hearing of this matter, however, it transpires in the context of examining annexure 1 of the OA (representation of the applicant dated 12.08.2006) that the respondents had indeed considered the case of the applicant. It would be evident from the letter of the respondents dated 25.07.2006. It is unfortunate that the applicant has not disclosed this letter before the Tribunal while filing this OA. A perusal of the letter, however, makes it clear that the respondents had considered the case of the applicant in detail. In the letter it has been clearly mentioned by the respondents that after the death of her father the family got different retiral benefits aggregating Rs. 7,04,320/-. Apart from that it was in receipt of monthly pension of Rs. 5306/- and out of four daughters of the deceased employee three were married and only one remained to be married. It means that there are only two dependents in the family. It has been further stated in the letter of the respondents dated 27.07.2006 that there were many other much deserving cases for compassionate appointment for which the vacancy was limited. In view of this

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situation the respondents were unable to approve her case for compassionate appointment.

3. In my view the respondents have already considered the matter as enjoyed upon them under the rules. The grounds for rejection are valid and, therefore, there is no cause of action. The OA is accordingly dismissed as not maintainable. No cost.



Member (A)

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