

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH

ORDER SHEET

Original Application No. 284 of 2002

Applicant (s) Jyotnarani Behera Respondent (s) Union of India

Advocate for Applicant (s) M/s S.K. Mohanty Advocate for Respondent (s) S.P. Mohanty
P.K. Lenka

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

I.P.O/B.D. for Rs.50/- filed
For Registration please.

REGISTER

Or.No.1 dated 13.5.2002

Applicant's husband having served the Postal Department for about 33 years died prematurely on 13.4.1999, leaving behind two daughters and a minor son. It is the case of the Applicant that her son has already attained majority and duly educated to hold an employment under the Respondents. It is the further case of the Applicant that she made several representations to the Respondents for providing an employment on compassionate ground in favour of her son. The Applicant, as it appears, made her last representation on 14.4.2002 vide Annexure-6 to this O.A. and, no heed having been paid to her grievances, she has moved this Tribunal in the present Original Application.

for Admission - copy
of O.A. served.

Bench

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Copies of order
dt. 13.5.02 communi-
cated to all members
alongwith copy of O.A.
and free
copies of said
order may be
handed over to
Counsel for both
sides

24/5

24/5

In the aforesaid premises, having heard the learned counsel for the Applicant and Shri S.B.Jena, learned A.S.C. for the Respondents, this O.A. is disposed of at the stage of admission itself, with a direction to Respondents to consider the grievances of the Applicant/Applicant's son Shri Manoj Kr. Behera, for providing him an employment on compassionate ground (as raised in the present O.A.) within a period of 120 days from the date of receipt of copies of this order.

Needless to say that the authorities, while giving consideration to the case of the Applicant/Applicant's son with a view to providing a compassionate appointment and/or to assess the distressed condition of the family of the Applicant, should not take into account the terminal benefits given to the distressed family for the reason of premature death of the applicant's husband; because, terminal benefits/pensionary benefits/gratuity should not be computed for the purpose of determining the indigent condition of the family.

The O.A. is disposed of as above, without any order as to costs.

MEMBER (JUDICIAL)

LATER:

Send copies of this order, along with copies of the O.A. to Respondents at the cost of the Applicant, on whose behalf of Shri S.K.Mohanty, undertakes to file the required postages by 25.5.02. On furnishing the required postages for transmission of copies of this order and O.A., free copies of the order be given to both sides.

MEMBER (JUDICIAL)