

9
**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO.180 OF 2011
Cuttack, this the 13TH Day of November, 2013

Smt. Susmita Kisku..... Applicant

Vs.

Union of India & Others Respondents

FOR INSTRUCTIONS

1. Whether it be referred to reporters or not? ☒
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? ☒


(A.K. PATNAIK)
JUDICIAL MEMBER

10
CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 180 OF 2011

Cuttack the ~~13~~ day of November, 2013

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HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER

Smt. Susmita Kisku,
aged about 43 years,
W/o- Late Gurkha Kisku of village
& PO . Srikona, Via-Chandipur,
Dist. Balasore-756 025

...Applicant

(Advocates: M/s-B.S. Tripathy, M.K. Rath, J. Pati, Mrs. M. Bhagat.)

VERSUS

Union of India Represented through

1. The Director General,
MES, Engineer-in-Chief's Branch Army
Head Quarters, Kashmir House,
New Delhi-11.
2. The Engineer-in-Chief,
Army Head Quarter, Kashmir House,
New Delhi-11.
3. The Chief Engineer,
R&D, Head Quarters Probyn
Road, New Delhi-54.
4. The Garrison Engineer (I),
R&D, Chandipur,
At/PO. Chandipur,
Dist. Balasore-756 025.

... Respondents

(Advocate : Mr. L. Jena)



ORDER

HON'BLE MR. A.K. PATNAIK, JUDICIAL MEMBER


Applicant has filed this Original Application under section 19 of the A.T.Act, 1985 praying to quash the order dated 10.2.2011 and to direct the Respondents to consider the case of her son for appointment on compassionate ground.

2. Respondents have filed their counter in which it has been stated that appointment on compassionate ground is provided to the son/daughter/ward of an employee who died in harness while in service solely on humanitarian ground to tide over immediate financial crisis caused to the surviving family members after the death of the bread winner of the family. Neither it can be claimed as a matter of right nor can it be said to be an alternative mode of appointment. Since the husband of the applicant died on 9.10.2002 at this distance point of time it is not feasible to provide appointment on compassionate ground. Accordingly, Respondents have prayed for dismissal of this OA.

3. Heard Mr. B.S.Tripathy, Learned Counsel for the Applicant and Mr.L.Jena, Learned Additional CGSC appearing for the Respondents. At the time of hearing, by producing copy of the letter dated 17th December, 2012 Mr.Tripathy, Learned Counsel for the Applicant has brought to the notice of this Tribunal that in the meantime the Respondent-Department have sought the applicant to produce certain documents, mentioned in the letter so as to consider the case of the applicant for appointment on compassionate ground and in compliance of the said letter, the Applicant has already submitted the documents. Therefore, he prays for a direction to the Respondents to give immediate consideration to the said grievance of the applicant and appoint her son in order to overcome the indigence condition still prevailing in the family.



4. In view of the above, this Original Application is disposed of with direction to the Respondents; especially Respondent No.4 to take an action to consider the case of the son of the Applicant for appointment on compassionate ground, as per the extant provisions and communicate the decision in a well-reasoned order within a period of 60(sixty) days from the date of receipt of copy of this order. There shall be no order as to costs.


(A.K.PATNAIK
Member (Judl.)