

3

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No. 260/00873 of 2016

Cuttack this the ~~23rd~~ Day of December, 2016

CORAM

HON'BLE SHRI A.K.PATNAIK, MEMBER(J)

1. AshalataGochhayat, aged about 53 years wife of Late BatakrushnaGochhayat, At-Nagpur, PO/PS- Gop, Dist. Puri, Odisha.
2. Sri MituGochhayat, aged about 30 years, Son of Late Batakrushna Gochhayat, At-Nagpur, PO/PS- Gop, Dist. Puri, Odisha.

..... Applicants.

By the Advocate(s)-M/s. G. Singh, B. K. Mohapatra.

-VERSUS-

1. Union of India, Represented through the Secretary, DARE & Director General, ICAR, KrishiBhawan, Govt. of India, New Delhi-110001.
2. Director, National Bureau of Soil Survey and Land Use Planning (ICAR), PO- Shankar Nagar, Amaravati Road, Nagpur, Pin-440033, Maharastra.
3. Chief Scientist (Sc), National Bureau of soil survey and land use planning (ICAR), Regional Centre, Calcutta, 233, N.S.C. Bose Road, Calcutta, Pin-700047, West Bengal.

..... Respondents

By the Advocate(s)-Mr.S.B. Jena.

ORDER(Oral)

A.K.PATNAIK, MEMBER(J):

M.A.No.897 of 2016 for joint prosecution is allowed and thus disposed of.

2. Heard Mr. B.K. Mohapatra, Ld. Counsel for the applicants, and Mr. S.B. Jena, Learned ACGSC appearing for the Respondents-ICCR, on which a copy of this O.A. has been served on the question of admission and perused the records.



3. In this O.A. the applicant no.1 is the wife of the deceased employee and applicant no.2 is her son. Both of them have approached this Tribunal assailing the inaction of the respondents in providing companionate appointment in favour of Applicant No.2.

4. Brief facts leading to filing of this O.A. are that the deceased employee (husband of the Applicant No.1) while working as supporting Staff in the office of the Respondent No.3, died in harness on 31st May, 2013.

5. The Applicant No.2 is stated to be a Commerce Graduate having no landed property. After the death of her husband, applicant no.1 sent several representations (**Annexure-A/5 Series**) for consideration of her son, applicant no.2 for compassionate appointment, which having yielded no fruitful result, both the applicants in the instant O.A. have prayed for the following relief.

- (i) To direct the respondents to consider the case of the applicants for appointment under compassionate appointment quota in favour of the applicant No.2.
- (ii) To pass such other orders/directions calling for the relevant records from the Respondents as are deemed just and proper in the facts and circumstances of the case and allow the Original Application with cost.

6. Since the representations preferred by the Applicant No.1, as aforesaid are stated to be pending before the Respondent Nos.1 to 3, at this stage, I am not inclined to issue notice asking the respondents to file their counter. Therefore, without going into the merit of the matter, I dispose of this O.A. at this admission stage with direction to Respondent Nos.1, to 3 to consider the aforesaid representations, if at all filed and is still pending consideration, as per rules and regulations in force and communicate the result thereof to the applicant by way of a well reasoned order within a period of two months from the date of receipt of a copy of this order. Though, I have not expressed any



5

opinion on the merit, all the points raised in her representations are kept open to be considered by the authorities concerned, if it is made clear that after such consideration if the applicant is found to be entitled to the relief claimed by her, then expeditious steps be taken to extent the said benefit in her favour within a further period of two months from the date of communication of decision.

7. However, if in the meantime representation has already been considered and disposed of, then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of copy of this order.

8. With the aforesaid observation and direction, the O.A. is disposed of at the stage of admission itself. No costs.

9. On the prayer made by Mr. D.K. Mohanty, Ld. Counsel appearing for the applicant, copy of this order along with paper book be communicated to the Respondent No. 2 and 3 by Speed Post at the cost of the applicant, for which Mr. Mohanty undertakes to file the postal requisites by 23.12.2016.

10. Free copy of this order be made over to Ld. Counsels of both sides.


(A.K.PATNAIK)
MEMBER (J)