

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A. No.437 of 2013

Cuttack, this the 12th day of July, 2013

CORAM

HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

HON'BLE MR. R. C. MISRA, MEMBER (ADMN.)

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1. Uttama Reddy, W/o.Late G.Gopal Reddy, Ex-Group D employee in Regional College of Education, aged about 45 years, residing at Qr.No.IR-A/2-RIE Campus, Unit-IX, At/Po-Bhubaneswar, Dist. Khurda.
2. G.Pratima Reddy, D/o.Late G.Gopal Reddy, Ex-Group D employee in Regional College of Education, aged about 45 years, residing at Qr.No.IR-A/2-RIE Campus, Unit-IX, At/Po-Bhubaneswar, Dist. Khurda.

.....Applicants

(Advocate(s) –Ms.Chitra Padhi)

-VERSUS-

Union of India represented through –

1. Secretary, National Council of Education, Research and Training, Aurbindo Marg, New Delhi-110 018.
2. Principal, Regional College of Education, Unit-IX, At/Po-Bhubaneswar, Dist. Khurda.

.....Respondents

(Advocate(s)-Mr.B.Dash)

O R D E R

(Oral)

A.K. PATNAIK, MEMBER (J):

It is the case of the Applicant that G.Gopal Reddy while working in the office of the Respondent No.2 as Mali died



prematurely on 5.11.2012 leaving behind his widow (Applicant No.1) and one daughter (Applicant No.2) in distress condition as the family do not have any other means of livelihood. Thereafter, by making representation dated 29.11.2012 (Annexure-A/2) the applicant No.1 requested the Respondent No.2 to provide her appointment on compassionate ground to save them from starvation after the death of her husband who was the only earning member of the family. Since no heed was paid to such request, she has reiterated her grievance through representation under Annexure-A/3. Alleging no action till date, the Applicants have approached this Tribunal in the instant OA seeking direction to the Respondents to immediately consider and provide appointment in favour of Applicant No.1.

2. Copy of this OA has been served on Mr.B.Dash, the nodal Counsel of the Respondent-Department. We have heard Mr.K.C.Kanungo, Learned Counsel for the Applicant (appearing on behalf of Miss. C.Padhi) and Mr.B.Dash, Learned nodal Counsel for the Respondent-Department and perused the records.



3. It is needless to state that providing appointment after the death of an employee out of compassion is a beneficial ^{Scheme} ~~legislation~~ introduced by the Government of India to mitigate the financial hardship caused after sudden demise of the earning member of the family. Since the very aim ^{is} to provide employment on compassionate appointment to meet the jerk caused to the family after the death of the only bread earner, there should be no delay in giving such consideration. Delay also defeats the very purpose of the scheme introduced by the Government.

4. As primarily it is the concerned Respondent Department to give consideration ^{to} the request for providing appointment on compassionate ground by taking various factors into consideration and it is the case of the Applicant that till date no such consideration has been given because had it been so it would have been communicated keeping in mind the time already consumed for giving such consideration, without expressing any opinion on the merit of the matter at this stage, this OA is disposed of with direction to the Respondent No.2 to ^{give} due consideration to the case of the applicant as raised in the representations at

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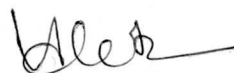
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Annexure-A/2 & A/3 (if it is still pending) and communicate the result thereof to the Applicant No.1 within a period of 60(sixty) days from the date of receipt of copy of this order. It is also made clear that if the representations of the applicant have already been considered and disposed of the result thereof should be communicated to the Applicant No.1 within a period of thirty days from the date of receipt of copy of this order. There shall be no order as to costs.

5. As prayed for by Mr.Kanungo, Learned Counsel appearing for the Applicants copy of this order along with OA be sent by post to the Respondent No.2 for compliance, at his cost for which he undertakes ^{to R} for furnish the required postal requisite by 17.7.2013.



(R.C.MISRA)
Member (Admn.)



(A.K.PATNAIK)
Member (Judl.)