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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH,
JODHPUR.

Date of Order: 28.6.95.

O.A. No. 243/95.

Smt. Anuradha Thanvi ... Applicant.

versus

Union of India & Ors. ... Respondents.

Mr. L.R. Calla

Mr. G.R. Calla - Counsel for the applicant.

CORAM :



Hon'ble Mr. Gopal Krishna- Vice Chairman.

Hon'ble Ms Usha Sen- Administrative Member.

PER HON'BLE MR. GOPAL KRISHNA :

Applicant Smt. Anuradha Thanvi in this application under Sec.19 of the Administrative Tribunals Act, 1985, has claimed appointment on compassionate grounds.

2. We have heard the learned counsel for the applicant.

3. The facts giving rise to this application are stated as follows:-

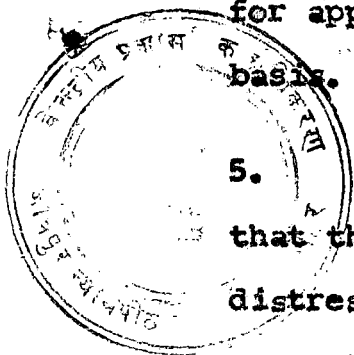
4. The applicant is a daughter-in-law of late Shri Shanti Prasad Thanvi who was employed in the Northern Railway Workshop as a Head Clerk in the Mechanical Division, Part-II, Jodhpur at the time of his death. He had expired on 1.10.94 at Jodhpur.

Before his death the family had to incur very heavy

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expenditure on his treatment at Bombay. It is stated that the only son of the deceased Railway employee had started living separately from the deceased even during his lifetime and he is not supporting the family. The deceased left behind two daughters also and his daughters are not inclined to take up any job due to social customs in the family and as such the widow of the deceased had to move an application for appointment of her daughter-in-law on compassionate basis.

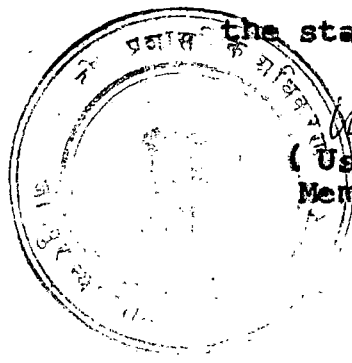


5. The learned counsel for the applicant has urged that the family of the deceased Railway employee is in distress and since the son of the deceased is not supporting the family and his daughters are not willing to serve, there being no bread winner in the family, the benefit of compassionate appointment should be extended to the daughter-in-law of the deceased. It is made clear that the appointments on compassionate considerations are confined to the son/daughter or widow of the deceased Government servant who died in harness and who needs immediate appointment on grounds of immediate needs of assistance in the event of there being no other bread winner in the family. It is only on exceptional grounds that the benefit could be extended to a near relative of the deceased employee. It cannot be swallowed that the daughter-in-law of the deceased employee would support the family of the deceased when her own husband is living separately from the family and is not supporting it. The daughters of the deceased

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employee are not willing to take up any employment and they are already married. The application of the widow of the deceased for grant of compassionate appointment to her daughter-in-law has been rejected by the respondents after considering all the relevant facts and the rules on the subject and the rejection of the application is not tainted with any arbitrariness.

6. In view of these facts, we find no substance in this application. It is, therefore, dismissed at the stage of admission.



(Usha Sen)
Member (Adm.)

(Gopal Krishna)
Vice Chairman

M/VS

Part II and III destroyed
in my presence on 26/1/95
under the supervision of
section officer as per
order dated 4/9/95

Section officer (Revised)

Recd
Copy
Officer
Adm.
30/6/95

Copy of order of 28-6-95
with copy of SA 3 Annex
sent to R1 to R-3
By Regd post vide
an 377/95
date 379
of 4/7/95
30/6/95