

In the Central Administrative Tribunal
Calcutta Bench

OA No.1361 of 1997

Present : Hon'ble Mr. D. Purkayastha, Judicial Member

Anjumonara Begum

- VS -

Department of Post

For the Applicant : Md. R. Islam, Advocate

For the Respondents: Ms. B. Ray, Advocate

Heard on : 12-5-99

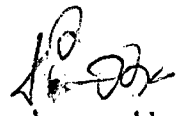
Date of Judgement : 12-5-99

ORDER

Heard Id. Advocates of both the parties.

2. Id. Advocate Ms. Ray on behalf of the respondents prays for time to file reply. But it is found that the applicant applied for compassionate appointment on account of death of her husband who died in harness on 20.4.1996. It is alleged by the applicant that as per scheme, she is entitled to be appointed on compassionate ground. Id. Advocate Ms. Ray on behalf of the respondents submits that though the respondents did not file any reply to the OA, yet there is a letter of instruction of the department issued to her which shows that the present applicant applied for her appointment in any responsible post on compassionate ground in relaxation of normal rules of the recruitment and the applicant also applied for other service benefits of her deceased husband. But Ms. Ray further submits that since the applicant could not be traced as per address maintained by the office, thereby the applicant could not be asked to appear in the department for consideration of her appointment on compassionate ground. It is found that a letter has been posted to her address and that has been returned to the office without service. Whatever may be the case, I

find that the respondents did not reject her case finally and there is a scope of consideration till date. So, her case can be considered with other candidates who will be called for interview on the date fixed. In a case of SCC L&S 662 (Sushama Gosain - VS - Union of India) the Hon'ble Appex Court opines that in all claims for appointment on compassionate grounds, there should not be any delay in appointment. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the bread earner in the family. Such appointment should, therefore, be provided immediately to redeem the family in distress. In view of the circumstances, I find that it would be a fit case to direct the respondents to consider the case of the applicant treating this application as representation and to pass reasoned/speaking order within two months from the date of communication of this order. Applicant is also directed to contact the concerned authority of the department accordingly. If the decision comes in favour of the applicant, she may be considered for appointment on compassionate ground, if vacancy is available. With this observation, application is allowed.


(D. Purkayastha)
Member (J)