

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No.425/06

Wednesday this the 21st day of June 2006

C O R A M :

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

K.B.B.Nair,
S/o.late Krishnan Nair,
Krishna Vilas, Iringole P.O.,
Perumbavoor, Ernakulam.

...Applicant

(By Advocate Mr.T.A.Rajan)

Versus

1. Union of India represented by the Secretary,
Government of India, Ministry of Shipping,
Road Transport & Highways, New Delhi.
2. The Director,
Department of Light House and Light Ships,
Deep Bhavan, Gandhi Nagar, Kadavanthra,
Kochi.

...Respondents

(By Advocate Mr.T.P.M.Ibrahim Khan,SCGSC)

This application having been heard on 21st June 2006 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicant while working as a Head Light Keeper was involved in a trap case and due to criminal case was suspended and later dismissed from service by order dated 22.10.1999. This is third time the applicant is approaching this Tribunal for a direction for grant of compassionate allowance. His case was considered in O.A.159/04 and again in O.A.515/04. On both occasions 2nd respondent was directed to consider the matter afresh keeping in mind the provisions under Rule 41 of the CCS (Pension) Rules, 1972. The powers of the competent authority under Rule 41 are purely discretionary and it is to be exercised according to the

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guidelines. The respondents have considered the matter in detail and issued the impugned order dated 9.6.2006. I do not find any extenuating circumstances to interfere with this order and therefore, the O.A is dismissed. The applicant is at liberty to approach the higher authorities, if considered necessary.

(Dated the 21st day of June 2006)

Sathi Nair
SATHI NAIR
VICE CHAIRMAN

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