

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.108/93

DATE OF DECISION: 5.8.93

E. Pramila .. Applicant

Mr.E.V.Nayanar .. Advocate for applicant

Versus

1. The Chairman, Telecom Commission,
Telecommunication Department,
New Delhi.
2. The Telecom District Manager,
Deptt. of Telecommunications,
Kannur.
3. The Asstt. Engineer (HRD),
of the Office of the Telecom Dist. Manager,
Dept. of Telecommunications, Kannur. .. Respondents

Mr. C.C. Thomas, ACGSC .. Advocate for respondents

CORAM

The Hon'ble Mr. Justice Chettur Sankaran Nair, Vice Chairman.

J U D G M E N T

Applicant seeks appropriate directions, to command respondents to appoint her to a suitable post under them. She states that she is an unmarried woman with no means of livelihood. She was dependent of one Reghunathan who died in harness on 28.2.1991. The said Reghunathan was unmarried and the applicant, her 74 year old father, and 64 year old mother were dependant on him. The applicant therefore made a request for compassionate appointment. It was rejected by Annexure.A.4 stating:

" It is regretted to inform you that the application^a
has not been acceded to."

2. An order like this cannot do service for a speaking order; and a speaking order is required in the circumstances of the case. The Government of India have indicated elaborately the need for consideration and proper decision. In Smt. Sushama Gosain and others Vs. Union of India and others (AIR 1989 SC 1976) and Smt. Phoolwati Vs. Union of India and others (AIR 1991 SC 469) the Apex Court highlighted the importance of a benevolent scheme like this and the need for implementing it in the spirit in which it was conceived. The reason with which Annexure.A.4 is sought to be supported, is also untenable. It is said that an amount of Rs.92,319/- was paid to the nominees of the deceased. This is an entitlement and the fact that an entitlement was paid will not wipe out the need of the dependent of the employee.

3. Annexure.A.4 is quashed and respondents are directed to consider the case of the applicant for suitable employment under them and pass appropriate orders within four months from today, bearing in mind the directives in Smt.Sushama Gosain's case.

4. Application allowed. No costs.

Dated the 5th day of August, 1993.

Sankarannan
CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

.3.

LIST OF ANNEXURE

Annexure.A.4.

.. True copy of the order No.ST-81/91/E/1 dated 26.10.91 of the 2nd respondent to the applicant.