

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA No. 217 of 2005

Thursday, this the 31st day of March, 2005

CORAM

**HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER**

1. P.B. Rajini,
W/o (late) T.S. Mohanan,
Pullomparambil House, Mandakkara Road,
Kochi – 14
2. Sujith Mohanan,
S/o (late) T.S. Mohanan,
Pullomparambil House, Mandakkara Road,
Kochi – 14

Applicants

[By Advocate Shri C.P. Saji]

Versus

1. Union of India, represented by the
Secretary, Ministry of Defence,
New Delhi.
2. The Flag Officer Commanding in Chief,
Head Quarters, Southern Naval Command,
Kochi – 4
3. The Controller Materials, NSD,
Naval Base PO,
Kochi – 4

Respondents

[By Advocate Shri T.P.M. Ibrahim Khan, SCGSC]

The application having been heard on 31-3-2005, the
Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The 1st applicant's husband T.S. Mohanan, while working as MT Driver in Naval Store Depot, Kochi, died by an accident at the age of 49 years. On 3-4-2000 the 1st applicant submitted an application requesting employment assistance under compassionate scheme to her son, the 2nd applicant, when he was a minor. On 25-5-2000 the respondents have informed the 1st applicant to make a fresh application for employment assistance for her son after his attaining 18 years of age. Accordingly, on 3-10-2002 the second application submitted seeking employment assistance on compassionate ground on behalf of the 2nd applicant as directed by the respondents. Reminders were also sent. No action has been so far forthcoming from the respondents. Aggrieved by the said inaction, the applicant has filed this Original Application seeking the following reliefs:-

- 1) *To direct the Respondents to give appointment to the 2nd applicant on compassionate ground.*
- 2) *To direct the Respondents to consider the application submitted by the Applicants for appointment on compassionate ground without any delay and within the time frame allowed by this Honourable Tribunal; and*
- 3) *Issue such other directions, order or declaration as this Hon'ble Tribunal may deem fit and proper for the end of justice."*

2. Shri C.P. Saji, learned counsel appeared for the applicants and Shri T.P.M. Ibrahim Khan, learned SCGSC appeared for the respondents.
3. When the matter came up for hearing, learned counsel for the applicants

submitted that the applicants will be satisfied if a direction is given to the 2nd respondent to consider and dispose of Annexure A3 representation dated 3rd October 2002 as also the supplementary representation, if any, made by the 2nd applicant within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

4. In the interest of justice, we direct that the 2nd respondent shall consider Annexure A3 representation dated 3rd October 2002 submitted by the 1st applicant as also the supplementary representation, if any, made by the 2nd applicant and pass appropriate orders thereon within a period of four months from the date of receipt of a copy of this order.

5. The Original Application is disposed of as above at the admission stage itself. In the circumstances, no order as to costs.

Thursday, this the 31st day of March, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

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