

Central Administrative Tribunal, Lucknow Bench, Lucknow

Original Application No. 129/2009

This the 5th day of February, 2010

Hon'ble Ms. Sadhna Srivastava, Member (J)

Km. Rinki Joseph aged about 22 years daughter of late Simon Joseph resident of 14/21, Udaiganj, Pargana, Baraf Khana, Lucknow.

Applicant

By Advocate: NOne

Versus

1. Union of India through its Secretary of Income Tax, Secretariat, New Delhi
2. Income Tax Commissioner (Appeal -1), Ashok Marg, Lucknow.

Respondents

By Advocate: Sri S.P. Singh for Sri Yogesh Kesarwani


ORDER (ORAL)

Hon'ble Ms. Sadhna Srivastava, Member (J)

The subject matter is compassionate appointment.

2. The facts, in brief, are that the applicant's father, namely, Simon Joseph, while working as Notice Server in Income Tax Department died in harness on 6.2.2005 leaving behind a widow aged about 45 years, 2 sons and 2 daughters. After the death of employee, his elder son applied for compassionate appointment but the respondents failed to consider his claim. Thereafter, he developed some mental problems and now he is in miserable condition. Thereafter, the widow of the deceased made an application for appointment of her daughter on 22.1.2009 (Annexure 3) namely, Rinki Joseph (applicant). That application is still pending. The department has not taken any decision on the aforesaid application. Hence this O.A.

3. Despite opportunity granted to the respondents, they failed to file reply. I am of the considered opinion that the O.A. can be disposed of at the admission stage itself by giving a suitable direction to the respondents. Accordingly, the competent authority is directed to treat this O.A. as a representation of the applicant and decide the same by reasoned and speaking order in accordance with rule within a period of 3 months from the date of receipt of copy of this order. Needless to say that I have not expressed any opinion on the merits of the case. No costs.


(Ms. Sadhna Srivastava)
Member (J)

HLS/-