

**Central Administrative Tribunal, Lucknow Bench, Lucknow**

**ORIGINAL APPLICATION No. 450/2009**

This the 06<sup>th</sup> November, 2009

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

1. Jhanka Devi aged about 44 years W/o Late Bhukan Lal Saqini R/o Mohalla Gangapur Opposite Civil Court, Civil Lines, Rampur.
2. Hari Om Saini S/o Late Bhukan Lal Saini R/o Mohalla Gangapur Opposite Civil Court, Civil Lines, Rampur.

.....Applicant

By Advocate: Sri Amit Verma holding brief for Shri A. Moin.

**Versus**

Union of India through

1. Secretary, Ministry of Information & Broadcasting, New Delhi.
2. Prasar Bharti Corporation of India, New Delhi through its Managing Director,
3. Station Director, Prasar Bharti Broadcasting Corporation of India, Akashwani, Vidhan Sabha Marg, Lucknow.
4. Head of Office, All India Radio, Rampur.

.....Respondents

By Advocate: Shri K.K. Shukla.

**ORDER (Oral)**

**By Ms. Sadhna Srivastava, Member-J**

The subject matter is compassionate appointment. The grievance of the applicant No.2 is that his father namely Late Bhukan Lal Saini, while working as Farrash in the office of Respondent No.4 died in harness on 17.12.2007, leaving behind widow, two sons and two unmarried daughters. After the death of her husband, Applicant No.1 filed an application before the respondents for appointment of applicant no.2 (Son) on compassionate ground in the month of March, 2008, which is forwarded by Respondent No.4 to Respondent No.3 but till date



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no order has yet been passed <sup>of</sup> <sub>under</sub> the representation hence, this OA.

2. Shri K.K. Shukla, counsel for respondents raised a Preliminary objection that the OA is barred by time therefore, liable to be rejected. He submitted that the husband of applicant no.1 died on 17.12.2007 and applicant no.1 filed representation in the month of March, 2008 and this OA has been filed after expiry of one year therefore, it is barred by time.

3. Heard the counsel for the parties.

4. Admittedly, the applicant filed an application for appointment on compassionate ground in the month March, 2008 and at that point of time her application has been referred to the Respondent No.3, which is still pending. If an employee raises his/ her grievance before the department, it is incumbent upon the department to take decision in the matter. Since no order has yet been passed on the representation therefore, the OA is disposed of with a direction to the Respondent No.3 to treat this OA as representation of the applicant and decide the same by passing a reasoned and speaking order in accordance with rules within a period of three months from the date of supply of the copy of this order alongwith the copy of OA.

5. The OA is disposed of accordingly. No order as to costs.

*Sadhna Srivastava*  
(Ms. **Sadhna Srivastava**)  
**Member-J**