

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Original Application No. 330 /2011

This, the 26th day of August, 2011

HON'BLE JUSTICE ALOK KUMAR SINGH, MEMBER (J)

Smt. Urmila aged about 27 years widow of late Shri Shrawan Kumar and daughter in law of late Sri Pokhai, resident of 554/1297, Pavanpuri, Alambagh, Lucknow.

Applicant.

By Advocate: Sri Praveen Kumar

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Chief Works Manager, Carriage and Wagon Workshop, Alambagh, Lucknow.

Respondents.

By Advocate: Sri S. Verma

ORDER (Dictated in Open Court)

By Hon'ble Shri Justice Alok Kumar Singh, Member (J)

This O.A. has been filed for quashing the impugned order dated 23.7.2011 (Annexure A-1), by means of which the claim of the applicant for compassionate appointment was rejected saying that there is no such provision.

2. Heard arguments.

3. The facts wrapped in brevity are that the applicant's husband was an employee of respondents who unfortunately died. In his place, compassionate appointment was given in favour of late Sri Shravan Kumar, the husband of the present applicant. But within a period of about one year, he also died. Then the applicant sought compassionate appointment which has been refused by the aforesaid impugned order. Learned counsel for the respondents says

11

that since the husband of the applicant was only a trainee and was not a regular employee, the compassionate appointment cannot be given in favour of his wife, that is the applicant.

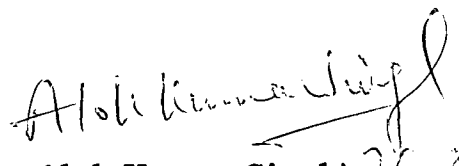
4. In reply to the aforesaid submissions, learned counsel for applicant says that applicant also happens to be daughter-in-law of the original employee late Sri Pokhai and on that ground also, she is entitled for being considered for compassionate appointment. He further submits that after rejection of her claim by impugned order dated 21.7.2011 (wrongly typed as 23.7.2011 in the relief clause), she moved another representation in July, 2011 (Annexure A-6), addressed to Chief Works Manager, Alambagh, Lucknow, in which this point has been added. It is still pending for consideration.

5. Learned counsel, therefore, submits that it would meet the ends of justice if the respondents are directed to dispose of this representation or the applicant may be directed to give an exhaustive representation afresh and respondents may be directed to dispose of the same within stipulated period of time. As far as this request is concerned, learned counsel for respondents has no objection.

6. In view of the above, this Tribunal is not adverting to other points. Having regard to the aforesaid request made on behalf of the applicant, this O.A. is finally disposed of with a direction to the respondent No.2 to dispose of the aforesaid pending representation (Annexure A-6) of July 2011. The applicant may also move an exhaustive representation afresh along with supporting material, if any, if she so desires within 2 weeks. It is further directed that representation(s) shall be disposed of by the respondents

PA

expeditiously preferably within a period of 4 months from
today. No order as to costs.


(Justice Alok Kumar Singh). 26.8.11
Member (J)

HLS/-