

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No: 404/2000

FRIDAY the 1st day AUGUST 2003

CORAM: Hon'ble Shri A.S. Sanghvi - Member (J)

Hon'ble Shri Shanakar Prasad - Member (A)

Smt. Ranjana Keshav Kamble
Residing at Dholkiwala Chawl
No. 181, Room No. 68,
Saitan Chowki, Bhavani Shankar
Road, Dadar(West), Mumbai.

...Applicant.

V/s

1. Union of India through
Department of Telecommunication
Maharashtra Telecom Circle,
Mumbai.
2. Asstt. General Manager (CSO
Maharashtra Telephone Nigam Ltd,
Bombay.
3. Deputy General Manager
Maharashtra Telecom Circle
Mumbai.
4. General Manager HQ
Officer of the Chief General
Manager, Maharashtra State.
Fountain Telecom Bldg. III
M.G. Road, Mumbai.

...Respondents

By Advocate Shri V.S. Masurkar.

ORDER (ORAT)

{Per A.S. Sanghvi, Member (J)}

This OA is moved by widow of the employee Shri Keshav K. Kamble, who was serving as LDC under Respondent No.4. The employee was charge-sheeted and after completion of the enquiry was imposed the punishment of removal from service. An appeal

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was preferred by the employee and the same was also rejected. The employee however had died thereafter and the penalty imposed upon him by the department has been challenged by the widow of the deceased by this OA.

In the present OA the applicant has given up the prayer of challenging the punishment imposed on her husband and prayed that direction be given to the respondents to give her compassionate appointment. She thereafter amended the OA and claimed for family pension in accordance with Rules.

2. During the pendency of this OA, the case of the applicant was considered by Adviser (HRD) exercising suo moto the revisional powers under Rule 29 of CCS(CCA) Rules 1965 and learned Adviser in his order dated 1.3.2001 held that late Shri Keshav Kamble had died in harness as he had not received the removal order dated 19.6.1997. The Revisional Authority ^{has} held that punishment order dated 19.6.1997 does not stand and deserves to be set aside. ^{has} He therefore quashed and set aside the order dated 19.6.1997 imposing punishment of removal from service due on the deceased employee and further ordered that the reliefs available to the family of deceased Government Servant under the rules may be released to the family of late Shri K.K. Kamble, immediately.

3. Shri V.S. Masurkar counsel for the respondents has made available this order of Revisional Authority and submitted that probably the respondents have already released all the necessary benefits available to the family of the deceased employee and as such this OA does not survive.

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4. The applicant has not been appearing despite service of notice on her. As such we are not aware as to whether the family pension is paid to her or not. In any case if the family pension has not been released till now, we direct the respondents to take proper action to implement the order of the Revisional Authority at the earliest. With these direction the OA stands disposed of. No order as to costs.

Shankar Prasad

(Shankar Prasad)
Member(A)

A. S. Sanghvi

(A.S. Sanghvi)
Member(J)

NS

to *Shankar Prasad*
03 11-8-2003