

(B)

CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. No. 70/92

198

~~File No.~~

DATE OF DECISION 13-7-92

Smt. Meerabai Petitioner

Mr. V S Yawalkar Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mrs. Indira Bodade Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. Justice S. K Dhaon, Vice Chairman

The Hon'ble Mr. Ms. Usha Savara, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND-12 CAT/86-3-12-86-15,000

Sgd
V.C.

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CIRCUIT SITTING AT NAGPUR
NAGPUR

O.A. NO. 70/92

Smt. Meerabai
Widow of Govind Hiranna
r/o. Nayee Basti
Near Gita Cycle Stores
Nagpur

..Applicant

V/s.

1. Union of India through
the General Manager
Central Railway
Bombay V.T.
2. The Divisional Railway Manager
Central Railway
Kings way; Nagpur

..Respondents

Coram: Hon. Shri Justice S K Dhaon, VC.
Hon. Ms. Usha Savara, Member(A)

APPEARANCE:

Mr. V S Yawalkar
Counsel
for the applicant

Mrs. Indira Bodade
Counsel for the
Respondents.

ORAL JUDGMENT:
(PER: S K Dhaon, Vice Chairman)

DATED: 13-7-92

Govind Hiranna, the husband of the applicant was employed as Khalashi. He died in harness on 18.6.1973. The applicant has come to this Tribunal with the grievance that the application made by her to the relevant authority with the prayer that a suitable employment may be given to her major son is not being considered on merits.

2. A counter affidavit has been filed. A
rejoinder affidavit has ^{also} been filed. Counsel for the parties have been heard. It transpires that the son ^{now} for whom the employment is being claimed attained majority quite recently. It also appears that the
- [Redacted]
- [Signature]

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applicant was paid the family pension some time in the year 1991. It also transpires that the applicant was given a short employment on compassionate grounds.

3. The explanation offered by the applicant for the delay is that the respondents informed her that the question of giving employment to her son will arise only after the settlement in respect to the payment of family pension has been arrived at. This allegation is, however, denied in the counter affidavit.

4. We direct the relevant authority to consider and dispose of the representation made by the applicant for giving an employment to her son on compassionate grounds on merits and in accordance with law and as expeditiously as possible, but not beyond a period of six weeks from the date of presentation of a certified copy of this order by the applicant before the relevant authority. The authority concerned, while considering the application, shall bear in mind the fact that an extraordinary delay took place in the matter of payment of family pension to the applicant for no fault of hers. He shall also bear in mind the fact that the applicant is not insisting upon the payment of any penal interest to her on account of the inordinate delay in the payment of family pension. Instead, she earnestly appeals to the authority concerned that her son may be given a suitable regular appointment.

5. With these directions this application is disposed of finally. Parties to bear their own costs.

Usha Savara
(Ms. Usha Savara)
M(A)

S.K. Dhaon
(S K Dhaon)
V.C.