

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Original Application No: 358/97

Date of Decision: 21.8.1997

Smt. Gaurabai B. Yerwa & Anor
Applicant.

Ms. Gohad with Mr.
S.P. Saxena

Advocate for
Applicant.

Versus

U.O.I. & ANOR

Respondent(s)

R.K. Shetty

Advocate for
Respondent(s)

CORAM:

Hon'ble Shri. B.S. Hegde, Member(J)

Hon'ble Shri.

- (1) To be referred to the Reporter or not? X
- (2) Whether it needs to be circulated to other Benches of the Tribunal?



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING No.6
PRESCOT ROAD, MUMBAI 400001

O.A.No. 358/97

DATED : THIS 21ST DAY OF AUGUST, 1997

CORAM : Hon'ble Shri B.S.Hegde, Member(J)

1. Smt. Gaurabai Bugappa Yerwa

2. Shri Chandrakant Bugappa Yerwa
H.No. 300, Ganj Peth
Pune 411042

(By Adv. Ms. Gohad, with
Adv. Mr.S.P. Saxena)

..Applicant

V/s.

1. Union of India
through Secretary
Ministry of Defence
(Production)
South Block

New Delhi 110011 & 2 ors

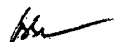
(By Mr. R K Shetty, Central
Government Standing Counsel)

..Respondents

ORDER

[Per: B S Hegde, Member(J)]

1. Heard the counsel. This O.A. is filed seeking compassionate appointment. Earlier O.A. No.35/95 was disposed of on 6.2.96 with the direction to the Respondents to reconsider the case of the applicant for compassionate appointment keeping in view the ratio laid down by the Supreme Court and pass appropriate order within three months from the date of receipt of that order and quashed and set aside the earlier order of rejection of compassionate appointment. Thereafter the respondents reconsidered and passed a detailed order



dated 26.9.96 stating that the applicant No.2 cannot be given compassionate appointment for the reasons stated therein.

2. Counsel for the applicant however submits that the reasons given in the order dated 26.9.96 as well as in the earlier order are one and the same and there is no change in the stand of the respondents.

3. The brief facts of the case are that the applicant's father expired in 1991. It is an admitted fact that another son of the deceased is already working in the respondent department and the terminal benefit of Rs.78,849/- has been paid to the widow of the deceased and she also is getting regular monthly pension of Rs.1,507/-. The learned counsel submits the respondents reconsidered the case of compassionate as directed by the Tribunal and keeping in view the ratio laid down by the Supreme Court before the order was passed by the competent authority on 26.9.96.

4. In the facts and circumstances, we do not find any merit in the O.A. Accordingly the O.A. is dismissed at the admission stage with no order as to costs.



(B.S. Hegde)