

(35)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

OA 1407/93.

Dt. of Order:2-2-94.

Smt. Eswari Bai

...Applicant

Vs.

1. Union of India, rep. by
The Secretary,
Ministry of Defence,
Research & Development Organisation,
New Delhi.
2. The Scientific Advisor to the Ministry
of Defence & Director General of
Research & Development Organisation,
New Delhi.
3. The Director,
Defence Electronics Research Laboratory,
Ministry of Defence Research & Development
Organisation, Hyd-5.

....Respondents

Counsel for the Applicant : Shri K.K.Chakravorthy

Counsel for the Respondents : Shri N.V.Ramana, Addl.CGSC

CORAM:

THE HON'BLE SHRI A.B.GORTHI : MEMBER (A)

....2.

5/10
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OA 1407/93

Judgement dated 2.2.94

(AS PER SHRI A.B. GORTHI, MEMBER (ADMN.))

Heard Shri K.K. Chakravarthy, learned counsel for the applicant and also Shri N.V. Ramana, learned standing counsel for the respondents.

The applicant is the widow of Shri Manik who having rendered service in Defence Electronics Research Laboratory for about 28 years in the grade of Tradesman A died on 15.4.91. At the time of death, the employee was aged 47 years and left behind his widow, two sons and two daughters. The eldest son is employed and the two daughters are married. The widow applied to the competent authorities for giving appointment to her son (named H. Satyanarayana) on compassionate grounds. The respondents having considered her application rejected the same. Aggrieved thereby, the applicant approached the Tribunal praying for a direction to the respondents to consider the case of her son for appointment on compassionate grounds. The respondents in their counter have stated that having considered the applicant's case, they have found that her request could not be accepted for the reason that the family could not be said to be in a state of financial

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indigency. According to the respondents, the family of the deceased Government servant^{has} got the following terminal benefits.

- | | |
|--------------------------|------------------|
| a) Family pension | - Rs. 765/- p.m. |
| Relief on Family Pension | - Rs. 743/- p.m. |
| | ----- |
| | Rs.1508/- p.m. |
| | ----- |
| b) DCR Gratuity | - Rs. 39,780/- |
| c) GPF Balance | - Rs. 527/- |
| d) C.G.E.G.I.S. | - Rs. 32,854/- |
| e) Encashment of leave | - Rs. 1540/- |

Admittedly, the applicant has to take care of her second son only. Keeping this in view and also the fact that the family is receiving pension + relief to the extent of Rs.1508 p.m., the respondents seem to have rejected the request of the applicant.

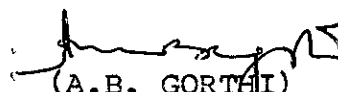
In case of death of a Government employee, the family, in every case, is bound to receive certain terminal benefits. The pension that is granted is invariably much less than the pay and allowances that the deceased employee was drawing before his death. Thus in almost every income of the family. In view of this, what is important is that the respondents must consider all cases for ^{appointment} payment on compassionate grounds on comparative merit of each case. Undoubtedly, the family that is facing acute financial distress deserves to be given priority in the matter of

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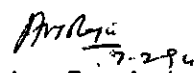
such consideration. While considering the cases of this nature, the respondents also have to bear in mind that the quantum of family pension that is granted on the death of an employee would get substantially decreased in due course of time. There is nothing ~~on record~~ to suggest that the case of an employee once rejected on such comparative merit cannot be reconsidered against future vacancies coming up in the quota meant for compassionate appointments.

In view of the above, this application is disposed of with a direction to the respondents to consider the request of the applicant for compassionate appointment of her son against any vacancy that may come up in future in the quota meant for compassionate appointments. No order as to costs.


(A.B. GORTHY)
Member(Admn.)

(Open court dictation)

NS


Deputy Registrar(Judl.)

Copy to:-

1. The Secretary, Ministry of Defence, Research & Development Organisation, Union of India, New Delhi.
2. The Scientific Advisor to the Ministry of Defence & Director General of Research & Development Organisation, New Delhi.
3. The Director, Defence Electronics Research Laboratory Ministry of Defence Research & Development Organisation, Hyd-5.
4. One copy to Sri. K.K.Chakravorty, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. Copy to Reporters as per standard list of CAT, Hyd.
8. One spare copy.

Rsm/-

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9.9.24

O.A. 1407/93

TYPED BY

COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE-CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER
(ADMN)

Dated: 2/2/-1994.

ORDER/JUDGMENT:

~~M.A./R.A./C.A. No.~~

O.A. No.

~~T.A. No.~~

(W.P. No.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

pvm

