

(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

\*\*\*

O.A. 1198/94.

Dt. of Decision : 9-6-97.

A. Galemma

.. Applicant.

Vs

1. The Surveyor General of India,  
Post Box No.37, DEHRADUN (U.P.)
2. The Superintending Engrs Surveyor,  
No.17 Party, Southern Circle Office,  
Survey of India No.9, Residency Road,  
Bangalore-25.
3. The Director,  
Southern Circle Office, Survey of India,  
Koramangal, Sajapur Road, Bangalore... Respondents.

Counsel for the applicant : Mr.K.Suchakar Reddy

Counsel for the respondents : Mr. N.R. Devaraj, SP CGSC.

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

THE HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.))

None for the applicant. Heard Mr.N.R.Devaraj,  
learned counsel for the respondents.

2. The applicant is the widow of one Late A.Singaraiah who was initially appointed as Contingent Khalasi on 15-11-49. His appointment was made through Employment Exchange, Giddalur, Prakasham District. In 1949-50 season the said Mr.A.Singaraiah was transferred to No.17 Party (SC) Bangalore and continued till 1964-65 season. The applicant herself states that due to sudden death of her son and due to burning of two houses her husband could not go for two seasons. After that he had made several representations to the authorities to take him as Contingent Khalasi again but he failed. <sup>in vain.</sup> The <sup>dead</sup> A Singaraiah expired on 5-11-90.

the respondents to extend the facility of extra-ordinary pension payment of arrears.

4. A reply has been filed in this OA. The sum and substance permission in the year 1956-57 and hence he was permanently <sup>dismissed</sup> ~~dismissed~~ <sup>from</sup> ~~from~~ <sup>the</sup> ~~the <sup>camp</sup> ~~camp~~ <sup>and</sup> ~~and~~ <sup>he</sup> ~~he~~ <sup>was</sup> ~~was~~ <sup>permanently</sup> ~~permanently~~ <sup>dismissed</sup> ~~dismissed~~ <sup>from</sup> ~~from~~ <sup>the</sup> ~~the~~ <sup>camp</sup> ~~camp~~ <sup>without</sup> ~~without~~ <sup>permission</sup> ~~permission~~. They have filed a letter No.S-164/17-A-2 dated 2-9-65 issued by O.C.No.17 Party (SC) <sup>which</sup> ~~which~~ is enclosed at Annexure-R-2. As per the circular for grant of extra-ordinary pension the same is applicable only to those~~

The suitable class in this connection is that if at all the applicant is eligible for any extra-ordinary pension it ~~is~~ <sup>is</sup> on the basis of the fact that her husband served the department.


The reply further states that those who served on regular establishment are only eligible to get the extra-ordinary pension and Contingent employees are not eligible.

5. Be that as it may, it is to be seen whether the ~~applicant's~~ husband of the applicant had left the service after completing his tenure or he was discharged from service due to disciplinary action. As per the Annexure R-2 letter it is seen that the said Mr.A.Singaraiah was debarred from future employment <sup>had</sup> as he left the camp without permission. When an employee had left the camp without permission and he had been <sup>be</sup> debarred from future employment he cannot <sup>be</sup> deemed as an employee who served his tenure and left the service. ~~that view the applicant may not be~~ eligible to get the extra-ordinary pension as her late husband was debarred from future employment which the respondents ~~dismissed~~

h. v. a

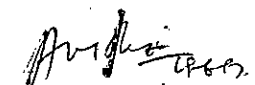
rejoinder in regard to the contents of Annexure R-2. Hence, ~~it has to be held that her late husband was debarred from~~ future employment as he left the camp without permission and that will debar him from treating him as an employee of the survey party who retired after completion of the tenure. So far Annexure R-2 letter is on record the applicant cannot demand any extra-ordinary pension. In that view, the prayer of the applicant has to be rejected.

6. In the result, we find that the application has no merits and hence it is dismissed. No costs.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 9th June 1997.  
(Dictated in the Open Court)

  
Dy. Registrar (Judl.)

sp<sup>r</sup>

30/7/97

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TYPED BY  
COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M  
(J)

DATED: 9/6/97

ORDER/JUDGEMENT

M.A./R.A/C.A.NO.

in

O.A.NO.

11987ay

Admitted and Interim directions  
Issued.

Allowed

Disposed of with directions,

~~Dismissed~~

Dismissed as withdrawn.

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक न्यायालय  
Central Administrative Tribunal  
देखण/DESPATCH  
- 4 JUL 1997  
हयदराबाद बेंच  
HYDERABAD BENCH