

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.NO. 888 of 1995.

Between

Dated: 12.2.1996.

Ayodhya Lakshmi

... Applicant

And

1. Union of India, represented by its General Manager, South Eastern Railway, Garden Reach, Calcutta.
2. The Divisional Railway Manager, South Eastern Railway, Visakhapatnam.

... Respondents

Counsel for the Applicant : Sri. P.B.Vijay Kumar

Counsel for the Respondents : Sri. V.Bhimanna, SC for Rlys.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

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Contd:...2/-

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D.A. 888/95.

Dt. of Decision : 12-02-96.

ORDER

As per Hon'ble Shri R. Rangarajan, Member (Admn.)

This application is filed by the second wife of one Shri Late Ayodhya Srirama Krishna, who while working as T.C.M.(L), Gr.III, Vizianagaram under R-2 died on 22-05-1991 in harness. It is reported that there was a dispute in regard to the payment of final settlement dues of the deceased between the applicant who is the second wife and one Smt.A.Subha Venkata Nagarathnam who is reported to be the first wife of the deceased.

2. In para 4(h) of DA it has been stated that the distribution of the final settlement dues had been done by way of an amicable settlement between these two ladies and it was also stated that Smt. A.Subha Venkata Nagarathnam the first wife of the deceased had given her consent for employing the applicant who is the second wife of the deceased for appointment on compassionate ground by agreement dated 09-01-1993. But the above said agreement has not been brought out in her representation at Annexure-2 dated -Nil- addressed to R-2. The above representation was rejected by letter No.WPR/697 dated 17-04-1995.

3. This DA is filed for setting aside the impugned order No.WPR/697 dated 17-04-1995 holding it as arbitrary, illegal and for a further direction to the respondents to appoint her on compassionate grounds in a suitable vacancy with all consequential and attendant benefits.

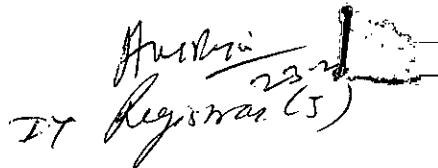
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4. I am not going in to the merits of this case as the financial status and other relevant factors are not brought out clearly in this OA. However, I feel that R-1 should re-consider her case for compassionate ground appointment, in view of the fact that a settlement between the applicant who is the second wife of the deceased and Smt. A. Subbia Venkata Nagarathnam first wife of the deceased has been arrived at by agreement dated 09-01-1993. The case of the applicant for her compassionate ground appointment has to be disposed of by R-1 in accordance with the rules if the applicant submits a fresh representation to R-1 enclosing the reported agreement dated 9-1-93 and the decree passed in OS.729/93 on the file of IVth Additional District Munsiff, Visakhapatnam. The representation of the applicant should be disposed of within 4 months from the date of receipt of the representation.

5. The OA is disposed of as above at the admission stage itself. No costs.



(R. Rangarajan)
Member (Admn.)



A. Subbia Venkata Nagarathnam
IT Registar (S)

Dated : The 12th February 1996.
(Dictated in Open Court)

spr

cmtd-4/-

13/96

DA-888795

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

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

HON'BLE SHRI

DATED: 12/2/96

ORDER/JUDGMENT

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

IN

O.A. NO. 888795

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

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केन्द्रीय प्रशासनिक अधिकरण Central Administrative Tribunal
प्रेषण/DESPATCH
29 FEB 1996
हैदराबाद व्यावधी HYDERABAD BENCH

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