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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1153/95.

Dt. of Decision : 27-06-96.

Smt. B.Demudamma

..Applicant.

Vs

1. The Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Naval Base, Visakhapatnam-14.
2. The Admiral Superintendent,
Naval Dock Yard,
Visakhapatnam-14.

..Respondents

Counsel for the Applicant : Mr. S.Kishore

Counsel for the Respondents : Mr. V.Rajeswara Rao for
Mr.N.V.Ramana, Addl.CGSC.

CORAM:-

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

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ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan, Member(Admn.)

Heard Mr.S.Kishore, learned counsel for the applicant and Mr.V.Rajeswara Rao for N.V.Ramana, learned counsel for the respondents.

2. The applicant in this OA is the wife of late Mr.B.Venkata Swamy, who worked as un-skilled casual labour with Token No.6496 for 18 years under R-2. He expired while in service on 30-10-89 leaving behind his widow the applicant herein and children who were in the tender age. The applicant made representations to the respondents for employment assistance on compassionate ground on different dates from 1990 to 1993. Though the particulars of the family composition etc., were verified through the Mandal Revenue Officer, Visakhapatnam she was not appointed on compassionate ground. However, R-2 have engaged her on daily wages as Narrickarated labour temporarily from time to tome. But she was not absorbed on regular basis.

3. This OA is filed praying for a direction to the respondents to provide suitable post to the applicant on compassionate ground considering her qualification and eligibility and thereby regularisation of her services in accordance with settled principles of administrative law.

4. A reply is yet to be filed in this connection. Though the learned counsel for the applicant was allowed to file an additional affidavit by order dated 07-06-96, no additional affidavit was filed. But the learned counsel for the applicant argued the case on date. Though no reply has been filed the learned standing counsel submitted that the applicant is not



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eligible for compassionate ground appointment as her husband died as casual labour.

5. The main contention of the applicant in requesting for compassionate ground appointment is due to the fact that her late husband worked in the department faithfully and efficiently for over 18 years. She has number of childrens and final settlement dues received was so meagre that she is not able to meet both ends and rear up her children satisfactorily. The further contention of the applicant ^{is} that in similar cases relief was granted by directing the respondents to consider the representation of the applicant in those cases and grant them compassionate ground appointment.

8. I have heard Mr.S.Kishore, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned counsel for the respondents.

9. There is no doubt that the applicant is placed in an indigent circumstances. She has number of children and she cannot make both ends meet due to the meagre final settlement dues received on the demise of her husband. Considering the above facts only R-2 had engaged her even though in short spells as Narrickarrated labour. This sympathetic consideration needs further continuance for the reasons stated above. Unless she gets some employment atleast on casual basis the whole family will be in distress.



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8. Under the circumstances, it is justifiable to direct the respondents to give her some casual labour employment from time to time and on that basis consider her for regular absorption as and when her turn comes.

9. In the result, the following direction is given:-

R-2 should consider the case of the applicant sympathetically for engaging her atleast as a casual Narrickarrated labour if there is work in future and engage her against those short term vacancy. Her case for regular absorption may be considered as and when her turn comes in accordance with rules.

10. The OA is ordered accordingly. No costs.



(R. RANGARAJAN)

MEMBER (ADMN.)

Dated : The 27th June 1996.

(Dictated in Open Court)

Dr. Registrar (Judl.)

Copy to:-

1. The Flag Officer Commanding-in-Chief, Eastern Naval Command, Naval Base, Visakhapatnam.
2. The Admiral Superintendent, Naval Dockyard, Visakhapatnam.
3. One copy to Sri. S.Kishore, advocate, CAT, Hyd.
4. One copy to Sri. N.V. Ramani, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 27/6/96

ORDER/JUDGEMENT

U.A. NO. / R.A. / C.P. No.

U.A. NO.

1153/95

ADMITTED AND INTERIM DIRECTIONS ISSUED
~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~
DISMISSED

DISMISSED AS WITHDRAWN

~~ORDERED/REJECTED~~

NO ORDER AS TO COSTS.

YLKR

II COURT

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