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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1154-of 1996

DATE-OF-JUDGEMENT:-25th-October, 1996

BETWEEN:

Smt. KANCHIBOYINA SIMHACHALAM .. Applicant

and

1. The Secretary, Ministry of Defence,
Govt. of India, New Delhi 110 001,
2. The Chief of Naval Staff,
Naval Headquarters, New Delhi 110 001,
3. The Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Visakhapatnam 530 014,
4. The Admiral Superintendent,
Naval Dock Yard,
Visakhapatnam 530 014. ... Respondents

COUNSEL FOR THE APPLICANT: SHRI M.P.CHANDRAMOULI

COUNSEL FOR THE RESPONDENTS: SHRI V.VINOD KUMAR, Addl.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

JUDGEMENT

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

None for the applicant. This OA was adjourned at the request of the applicant on 4.10.96 to 24.10.96. On 24.10.96, the applicant was not represented. Hence it is posted for dismissal today. Even today, the applicant is not present. Hence the OA is disposed of on the basis of the materials available on record.

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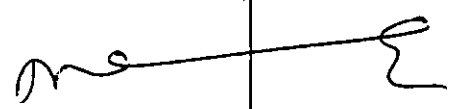
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2. The applicant in this OA prayed for compassionate ground appointment due to the death of her husband Shri K.Appa Rao who died on 10.4.92 while he was working as Casual Unskilled Labourer with Token No.6582 in the Naval Dock Yard; Visakhapatnam. She represented her case by sending a Lawyer's notice on 30.1.96 addressed to R-1 which was replied by the impugned letter No.PIR/2402/S1.451 dated 9.2.96 (Annexure-I at Page 8 of the OA) rejecting her claim for compassionate ground appointment. This letter is impugned in this OA praying for consequential declaration that the applicant is entitled for appointment in a suitable post in Naval Dock Yard, Visakhapatnam under the compassionate ground appointment quota.

3. It is an admitted fact that her husband was a casual labourer. There is no rule produced to show that the wards of the deceased casual labour are entitled for compassionate ground appointment. Hence the rejection of her request for compassionate ground appointment is in order. However, she may represent her case for engaging her as casual labourer if there is work. If such a representation is received, the authorities may consider the same in accordance with law.

5. The OA is ordered accordingly at the admission stage itself. No costs.



(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 25th October, 1996
Open court dictation.

Handwritten notes:
30-10-96
Dy. Registrar (5)