

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH

O.A.1165/97

Date of decision: 8-9-97

Between:

S.Kamamma

.. Applicant

-versus-

1. The Director,
Southern Circle,
Southern Circle Office,
Survey of India,
Sarjapur Road,
Bangalore - 560 034.

2. Surveyor General of India,
Survey of India,
Dehradun.

.. Respondents

Counsel for the applicant : Mr.S.Satyanarayana

Counsel for the respondents : Mr. Vinodkumar

Coram:

Hon'ble Shri H. Rajendra Prasad, Member(A)

O R D E R

(Per Hon'ble Shri H. Rajendra Prasad, M(A)

Heard Mr. S. Satyanarayana for the
applicant and Mr. Vinodkumar for the respondents.

2. The applicant is the widow of S. James,
formerly Daffedar in the office of the 1st respon-
dent. The said James passed away in November, 1990.

2/5/97

-: 2 :-

Since then she has been making correspondence with the authorities seeking suitable employment, on compassionate grounds, for her second son. The elder son is said to be staying separately and unable to help the family. On account of the reassuring communications received from the zonal authorities the applicant is apparently under the impression that her request was indeed under consideration. At one stage, she was infact asked to obtain and convey the willingness of her second son for being considered for appointment as contingent Khalasi since no vacancy of LDC was available to absorb him. The consent was communicated to the said respondent on 1-8-94. Even thereafter the applicant was informed that her case was under consideration, thereby reinforcing the original optimistic assumptions. However, in March '95 she was told that her request could not be accepted since her two elder sons was already employed in the Railways. This position was reiterated in October '96.

3. The fact that her elder son was employed, but staying separately from the family, was known to the authorities as early as 1991, as may be seen from Annexure-A.II. It was in this knowledge that an affidavit and undertaking was called for that the first son was not rendering

On
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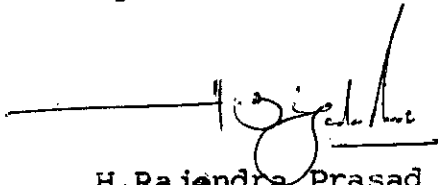
-: 3 :-

any financial help to the family. Thus, the fact of the eldest son being employed, and not being in a position to help, is not a new development. This fact was fully known to the respondents. The case was nevertheless processed despite this. Under the circumstances the action of the respondents in rejecting the case out of hand on the very same grounds does not appear to be based on sound reasons.

4. The respondents are directed to reconsider their decision in view of the proven indigence of the family and to convey their decision to her within 90 days from the date of receipt of copy of this order. It would be only fair that the second son is considered for employment atleast as contingent Khalasi, as already decided by the respondents and agreed to by the applicant, even if there is slightest scope to help this family whose financial distress seems to be acute and genuine.

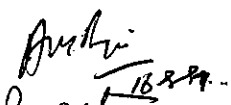
5. Thus the OA is disposed of.

MD


H. Rajendra Prasad
Member (A)

Date: 8th September, 1997

Dictated in the open court


Deputy Registrar (D) cc.

23/9/97

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE.
VICE-CHAIRMAN

And

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

DATED:- 8-9-97

~~ORDER/JUDGMENT.~~

M.A.,/RA.,/C-A.No..

in

O.A.No. 1165797
T.A.No. (W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No. order as to costs.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
दस्तावेज/DESPATCH
22 SEP 1997
HYDERABAD BENCH