

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 264 of 2005

Jabalpur, this the 21st day of March, 2005

Hon'ble Mr. Madan Mohan, Judicial Member

Smt. Sumitra Bai, W/o late Ram Kumar,  
Aged about 50 years, Resident of Sethi  
Nagar, Gupteshwar, Jabalpur M.P.

APPLICANT

(By Advocate - Shri Sudhir Rawat)

VERSUS

1. Union of India !Through Secretary,  
Department of Defence(Production),  
New Delhi.
2. The General Manager, Ordnance Factory,  
Khamaria, Jabalpur, M.P.
3. The Ordnance Factory Board,  
Kolkata,(West Bengal).

RESPONDENTS

O R D E R (ORAL)

By filing this Original Application, the  
applicant has sought the following main relief :-

"....to issue a writ of mandamus directing the  
respondents to give all the benefits to the  
applicant after her husband's death, which she  
was entitled in the normal course."

2. The brief facts of the case are that the husband  
the  
applicant was removed from service w.e.f. 30.4.2000  
(Annexure-A-2). The husband of the applicant has filed  
an OA No. 368/02 for quashing the order dated 30.4.2000  
passed by the General Manager Ordnance Factory Khamaria  
Jabalpur and also quashing the enquiry proceedings.  
During the pendency of the aforesaid OA, the husband of  
the applicant died on 31.5.2004 (Annexure-A-3) and the  
Tribunal has dismissed the aforesaid OA No.368/02 vide  
order dated 15.6.2004. Thereafter, the applicant has  
moved representation dated 30.11.2004(Annexure-A-5)  
to the respondents No.2. Till now the respondents have  
not taken any decision on the aforesaid representation  
of the applicant. Hence, this OA.

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3. Heard the learned counsel for the applicant.

4. The learned counsel for the applicant states that the applicant will be satisfied if the respondents be directed to consider and decide the aforesaid representation of applicant dated 30.11.2004 (Annexure-A-5) by passing a detailed, reasoned and speaking order.

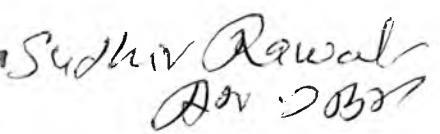
5. In the facts and circumstances of the case, the ends of justice would be met to the applicant, if I direct the respondents to consider and decide the aforesaid representation dated 30.11.2004 (Annexure-A-5) of the applicant strictly in accordance with the rules by passing a detailed, reasoned and speaking order within a period of 3 months from the date of receipt of a copy of this order. I do so accordingly.

6. The applicant is directed to furnish a copy of this OA and a copy of the judgment of the Hon'ble High Court of M.P., in the case of Smt. Yashoda Bai & Ors. Vs. State of M.P. in appeal No.1318/95 passed on 16.5.2002 alongwith this order. at the admission stage itself

7. The OA is stands disposed/of with the aforesaid directions.

  
(Madan Mohan)  
Judicial Member

पूर्वांकन दर्शन ऑफिस, जबलपुर, मे. 2005  
प्रतिलिपि अन्वयिता:-  
(1) संयिव, उच्च व्यायामी न्याय एवं न्यायिक विधि, जबलपुर  
(2) आवश्यक श्री/क्षीराम रावल, ...के काउंसल  
(3) प्रस्तावी श्री/क्षीराम/...के काउंसल  
(4) व्यायपत्र, लेप. 31, नवाम्बर 2005  
skm सूचना एवं आवश्यक व्यायामी न्याय  
24.3.05

  
Sudhir Rawal  
Adv 20327  
24.3.05  
bmt उप रजिस्ट्रार

Issued  
On 24.3.05  
Gv 24.3.05