

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT COURT SITTINGS: INDORE

Original Application No.26 of 2005

Indore, this the 19th day of October, 2005

Hon'ble Shri M.P.Singh - Vice Chairman
Hon'ble Shri Madan Mohan - Judicial Member

Smt. Jayalaxmi Swami, w/o late Shri
D. Gopal Swami, Aged 44 years,
Occupation-Unemployed, R/o 27, Radhaganj,
Dewas (M.P.)

- Applicant

(By Advocate - Shri S.P.Vakte)

Versus

1. Union of India through the Secretary to the Government of India, Ministry of Finance, New Delhi (India).
2. The General Manager, Bank Note Press, Dewas, Dewas (M.P.).
3. The Administrative Officer, Bank Note Press, Dewas, Dewas (M.P.).

- Respondents

(By Advocate - Shri S.A.Dharmadhikari)

ORDER (Oral)

By M.P.Singh, Vice Chairman. -

By filing this Original Application, the applicant has claimed the following main reliefs :

"(ii) To direct the respondents to issue an appointment letter on compassionate ground to the applicant on the post for which he (sic) possesses the qualification."

2. The brief facts of the case are that the applicant is the wife of deceased Government servant Shri D.Gopal Swami, who was working as Head Cook under respondent no.2 and died in harness on 30.11.1998. The applicant, who is the widow of the deceased Government servant, has made an application for her appointment on compassionate grounds on 23.12.1998. Till now she has not been informed about the decision taken by the respondents on her application for compassionate appointment; and it is because of this reason she has filed this Original Application.

3. The learned counsel for the respondents during the course of the arguments has stated that the case of the applicant along with other candidates has been considered for



compassionate appointment in the year 1999, by a screening committee. As per the assessment of the screening committee the applicant had obtained only 35 marks, hence she could not be considered for compassionate appointment.

4. The learned counsel for the applicant has submitted that the applicant has not yet been intimated whether she was considered in the year 1999 or at any other point of time. She has been making repeated representations in the absence of any reply received from the respondents. The learned counsel further submitted that keeping in view the educational qualifications of the applicant and the understanding of the rules on the subject, she could approach the Tribunal only at this stage by filing the present OA in 2005.

5. We have given careful consideration to the rival contention. We find that the husband of the applicant died in the year 1998. She had submitted an application for appointment on compassionate ground in the same year. Although the respondents in their reply have stated that they have taken a decision on her application in the year 1999, but it is an admitted fact that the decision of rejection of her application was never intimated to her till now.

6. In the conspectus of the aforesaid facts and circumstances of the case, we direct the respondents to reconsider the case of the applicant for grant of compassionate appointment, within a period of three months from the date of communication of this order, and take a decision by passing a detailed reasoned and speaking order and inform the applicant accordingly.

7. In the result, the OA is disposed of in the above terms. No costs.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman

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Jorawan
21/10/05

Filed
24.10.05
rkv.