

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 107 of 2004

Jabalpur, this the 26th day of March, 2004

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Mādān Mohan, Judicial Member

Smt. Nagina Begum, wife of Shri
Abdul Rahim aged about 50 years,
Occupation House Wife Residence
of Beside Foote Tal, Popular Factory/
Bakery near Saiyad Baba Manjhar
H.No. 523 Post Lakargunj, Footatal
Jabalpur (MP). ... Applicant

(By Advocate - Shri Bhoop Singh)

versus

1. The Union of India, through its Secretary, Defence Production Deptt., New Delhi.
2. The Chairman Ordnance Factory Board, 10-A Saheed Khudiram Bose Mark, Kolkata (WB).
3. The General Manager, Vehicle Factory, Jabalpur.
4. The Collector, Jabalpur (MP). ... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant is claiming the following main reliefs :

"(i) to issue a writ in the nature of mandamus or other and command the respondent and kindly quashed the termination order dtd. 3.8.94 passed by respondent No. 3 and the order dtd. 27.12.2003 issued by Collector Jabalpur respondent No. 4 who have informed regarding the termination of petitioner while in mentally unsound condition, the action of respondent No. 3 without jurisdiction and legal power under the provision of law and kindly declared as void invalid and against the provision of law.

(ii) to direct the respondent No. 3 to get admitted in the Govt. Hospital and provide the medical treatment to the husband of petitioner be provided and salary or all the consequential benefits be given to the husband of petitioner in

the interest of justice.

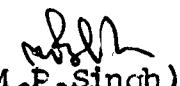
(iii) The Hon'ble Tribunal further kindly be directed that order of termination is passed in exercise of colour of power without jurisdiction despite of mentally unsoundness therefore, during this period the financial benefit be given to the petitioner or her husband."

3. The brief facts of the case are that the husband of the applicant was working in Vehicle Factory, Jabalpur. According to the applicant, her husband has became mentally unsound. She has made a representation to the General Manager, Vehicle Factory, Jabalpur, where the applicant's husband was working, asking them to get her husband medically treated and also grant monetary assistance to the family. The applicant has been informed through the Collector, Jabalpur that the husband of the applicant was dismissed from service. Thereafter the applicant has made a number of representations to the General Manager, Vehicle Factory, Jabalpur, which has not yet been replied to by the respondents.

4. In the circumstances, we deem it appropriate to dispose of this Original Application at the admission stage itself by directing the respondent No.3 to consider and decide the representation of the applicant dated 3.3.2003 and 8.4.2003 by passing a speaking, reasoned and detailed order within a period of 3 months from the date of receipt of copy of this order and inform the decision to the applicant. We do so accordingly. The applicant is directed to send a copy of this order and Original Application to the respondent No.3 within 15 days from the date of receipt of copy of this order.

5. Accordingly, the Original Application stands disposed of.


(Madan Mohan)
Judicial Member


(M.P.Singh)
Vice Chairman