

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 707 of 2003

Jabalpur, this the 6th day of August, 2004

Hon'ble Shri Sarweshwar Jha, Administrative Member  
Hon'ble Shri Madan Mohan, Judicial Member

Smt. Bhanumati Iyer, age 49 years,  
w/o. Shri R.B. Iyer, Occupation : Nil,  
R/o. 816, Amanpur, Madan Mahal,  
Jabalpur.

... Applicant

(By Advocate - Smt. Amrit Ruprah)

V e r s u s

1. Union of India,  
through Secretary,  
Finance Department,  
Government of India,  
New Delhi.

2. Commissioner of Income Tax,  
Central Revenue Building,  
Napier Town, Jabalpur.

... Respondents

(By Advocate - Shri Pankaj Dubey on behalf of Shri  
B.da.Silva)

O R D E R (Oral)

By Sarweshwar Jha, Administrative Member -

Heard the learned counsel for the parties.

2. At the very outset the learned counsel for the applicant has drawn our attention towards the fact that the husband of the applicant has been missing since 1995 and it is only now that the respondents have informed ~~via~~ this OA that the matter regarding the request of the applicant for compassionate appointment being given to her ~~is~~ is presently under consideration of the Central Board of Direct Taxes to whom the matter has been referred to by the Chief Commissioner of Income Tax (Cadre Controlling Authority), Bhopal. There is also a mention in paragraph 3 of the counter reply of the respondents that the

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request of the applicant for consideration of her appointment on compassionate ground have been proposed by them with reference to the para 12(d) of the OM dated 9.10.1998 of the Department of Personnel & Training and only thereafter it has been sent to the Central Board of Direct Taxes, New Delhi.

3. The learned counsel for the applicant has <sup>Submitted</sup> that the husband of the applicant has been missing since 1995 and also <sup>he</sup> was the only bread earner in the family and <sup>that</sup> that the full pension which the applicant was in receipt all these years since her husband has been missing the same has also been reduced to 50%, thereby putting the family to further hardship. Hence the respondents be directed to expedite the decision in the matter. She has submitted that any inordinate delay on the part of the respondents would cause severe hardship and distress to the family.

4. Having regard to the fact that the respondents ~~have~~ already ~~seized up~~ <sup>and referred to</sup> the matter and already it has been duly processed by them to the appropriate authority for a decision, we are of the considered opinion that it would be appropriate that this Original Application is disposed of at this stage to ensure that the decision of the competent authority in the matter is expedited, in any case within a period of three months from the date of receipt of a copy of this order. Ordered accordingly.

(Madan Mohan)  
Judicial Member

(Sarveshwar Jha)  
Administrative Member

पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....  
पतिलिपि अद्यो दित:-

"SA"

- (1) सचिव, उच्च न्यायालय वार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/कु.....के काउंसल
- (3) श्री/श्रीमती/कु.....के काउंसल

सूचना एवं आवश्यक कार्यवाही हेतु

सूचना एवं आवश्यक कार्यवाही हेतु

Issued  
On 25-8-09  
BS

S.M. A. Rupaiah  
dmlva