

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 279 of 2002

Jabalpur, this the 17th day of June, 2003

Hon'ble Mr.D.C.Verma-Vice Chairman(Judicial)
Hon'ble Mr.Anand Kumar Bhatt-Administrative Member

Smt.Parwati Bai Soni,
widow of Shri Gulab Chand Soni,
House No.95, Samta Colony, Shanti
Nagar, Damoh Naka, Jabalpur (MP)

- APPLICANT

(By Advocate Shri R.Maindretta)

Versus

1. Union of India, Ministry of Defence,
Through its Secretary, New Delhi.
2. Director General of Ordnance Services,
Army Headquarters, Master General of Ordnance
Branch, DHO, P.O. New Delhi-110011.
3. Commandant, Central Ordnance Depot,
Jabalpur (M.P.)-482001

- RESPONDENTS

(By Advocate Shri Om Namdeo)

ORDER (oral)

By D.C.Verma, Vice Chairman(J)-

The applicant has claimed appointment of her son on compassionate grounds.

2. The brief facts of the case are that one Gulab Chand Soni was working as Painter at the Central Ordnance Depot, Jabalpur. Gulab Chand Soni expired while in service on 2.4.1994. The deceased employee left behind his wife, two sons and ~~four~~ daughters. Two daughters, namely, Aruna Soni and Vandana Soni are married. The eldest daughter Ku. Archana Soni is handicapped and is residing with the applicant. Another daughter Smt. Lajwanti Soni is said to have been separated from her husband and is living with the applicant with her four children. The applicant along with all the aforesaid members is living in a tenanted house and has no source of livelihood. The applicant, therefore, made an application for appointment

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of her son Nirdosh Kumar Soni, on compassionate grounds. The same was considered and rejected in 1994. Second time it was also considered and rejected vide communication dated 25.11.1997. The respondents, however, vide their communication dated 4.5.2001 asked the applicant to meet the Personnel Officer on any working day. The result thereof have not been communicated to the applicant till date.

3. The learned counsel of the applicant submitted that due to the liability left over by the deceased-employee the dependants of the late employee are in dire financial constraints. All these position were not considered by the respondents while rejecting their claim. Further submission is that the emoluments paid after the death of the late employee are not large to meet the financial requirements of the persons who were dependant on the late employee. The submission is that the respondents be directed to consider the case of the applicant looking to her financial condition and the dependants.

4. The learned counsel of the respondents has, on the other hand, submitted that the case of the applicant was considered by the Board in July, 1994, January 1996, and again in July 1996. The more deserving cases who secured 87 marks were given appointment, whereas the applicant's son could secure only 8 marks, so he was not given appointment. Consequently, the applicant was earlier informed vide communication dated 15th January, 1995 and subsequently vide communication dated 25th November, 1997. The reason on what grounds the applicant was called vide ~~notification~~ communication dated 4th May, 2001 is not plausible. The learned counsel for the respondents submitted that the applicant was called only to give her information about the non-consideration of the applicant's claim. It does not appear to be the reason as the applicant was earlier informed in writing in November, 1997. The case of the applicant it appears was subsequently considered again by the respondents and so she was advised to meet the Personnel Officer in office on

15th May, 2001. The result of that meeting has not yet been communicated to the applicant and the applicant has all the hope of getting a favourable response thereof. Whatever may be the reasons, looking to the family circumstances of the applicant, if it is all true, it is open for the respondents to examine the applicant's case and thereafter to communicate the decision which was taken after the meeting of May, 2001. The O.A. stands decided accordingly. No costs.

Anand Kumar Bhatt

(Anand Kumar Bhatt)
Administrative Member

D.C. Verma

(D.C. Verma)
Vice Chairman (Judicial)

rkv.

कृतिकाल से अंतिम
प्रतिलिपि

(1) रायिल, अम्बा रामेश्वर
(2) अम्बेला रामेश्वर
(3) प्रसादी
(4) दंपती रामेश्वर
सुदूरपश्चिम राज्य

*R. malarkherela, So
Om ramdeo*

Chhajam
उप राज्यसभा

Recd 26/6/03