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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 846 of 2002

Jabalpur, this 2nd day of July, 2004

Hon'ble Mr. Madan Mohan, Judicial Member

1. Smt. Kamlesh Kumari,
W/o Late Shri Ram Chandra,
Aged about 40 years,
R/o 185, Behind Narsingh-
Mandir, Gorakhpur,
Jabalpur(M.P.)
2. Jitendra Singh,
S/o Late Shri Ram Chandra
Singh, aged about 22 years,
R/o 185, Behind Narsingh-
Mandir, Gorakhpur,
Jabalpur.

APPLICANTS

(By Advocate - None)

VERSUS

1. Union of India,
Through Secretary,
Ministry of Defence,
Union of India,
New Delhi - India.
2. Director General of
Ordinance (A.O.C. Core)
Army Head Quarter,
New Delhi - India.
3. The Commandant,
Central Ordinance Depot,
Jabalpur, M.P.
4. Sahayak Karmik Adhikari,
(Asainik)
C.O.D. Jabalpur, M.P.
5. Karmik Adhikari,
C.O.D. Jabalpur, M.P.

RESPONDENTS

(By Advocate - Shri Om Namdeo)

ORDER

By filing this OA, the applicants have sought the following main relief :-

- "I. to direct the respondents to provide compassionate appointment to the applicant No.2 forthwith"
 2. None is present on behalf of the applicants.
- Since, it is an old matter of the year, 2002 I am disposing of the same by invoking the provisions of the Rule 15 of the Central Administrative Tribunal(Procedure) Rules, 1987.



3. The brief facts of the case are that Shri Ram Chandra Thakur, the husband of the applicant No.1 and the father of the applicant No.2, was working as Carpenter under the respondent No.3. He died in harness on 5.9.1999 leaving behind the applicants and three daughters. After the death of deceased employee, the applicant No.1 had applied for providing compassionate appointment to her son before the respondents No.3. The respondents have simply rejected the claim of the applicant vide order dated 24.4.01. Thereafter, the respondents vide letter dated 18.12.2001 informed that the name of the applicant No.2 could not be included in the list of selected candidates because of large numbers of applications against limited vacancies. Thereafter again the respondents vide order dated 2.3.2002 No.2 further intimated the applicant that his application could not be considered against the limited vacancies. Hence this OA.

3. Heard the learned counsel for the respondents and perused the pleadings and available material on records.

4. The learned counsel for the respondents has stated that the respondents have given the terminal benefits of Rs. 3,25,650/- to the applicant No.1 and she is receiving family pension 2,600 plus DA per month which is sufficient for the family of the applicants for their livelihood. He has further submitted that the case of the applicant No.1 was considered by the respondents three times and his case was not found suitable for compassionate appointment. Hence, the case of the applicant No.2 for compassionate appointment could not be considered. He has also submitted that the OA is barred by limitation and deserves to be dismissed.



5. After hearing the learned counsel for the respondents and perusal of the pleadings and available material on records, I find that the applicant No.1 has 3 unmarried daughters and only one son Jitendra Singh, who is at present unemployed. I also find that the applicant No.1 has got retiral benefits of Rs. 3,25,650/- and getting family pension^u of Rs. 2600/- plus DA per month, which is quite insufficient^u for her family in view of the large number of dependents of the deceased employee and also the applicant no.1 does not possess any moveable and immoveable property. I also find that the order passed by the respondents Annexure-A-3, Annexure-A-4 and Annexure-A-5 are in nature of cyclostyle which are not sustainable in the eye of law. In the facts and circumstances of the case I direct the respondents to reconsider the case of the applicant No.1 sympathetically and looking to the family back ground for compassionate appointment within a period of 3 months from the date of receipt of copy of this order. With the above direction, the OA is disposed of. No costs.

(Madan Mohan)
Judicial Member

'SKM'

पृष्ठांकन सं ओ/व्या.....जवलपुर, दि.....
प्रतिलिपि अर्जें शिलः--

- (1) सचिव, उच्च न्यायालय चार एजेन्सिफेशन, जवलपुर
- (2) आवेदक श्री/श्रीमती/पु.....के कार्यालय
- (3) प्रत्यक्षी श्री/श्रीमती/पु.....के कार्यालय
- (4) मंत्रालय, को.प्र.अ., जवलपुर मंत्रालय की
सूचना एवं आवश्यक कार्यवाही हेतु

Illegible
on
5/7/04

T N Dubey
on Name
Bajundar
उप