

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

**ORIGINAL APPLICATION NO.060/00963/2014
Chandigarh, this the 31st Day of October, 2014**

**CORAM: HON'BLE MRS. RAJWANT SANDHU, MEMBER (A).
HON'BLE DR. BRAHM A. AGRAWAL, MEMBER (J).**

Panwati @ Panwanti Devi, widow of Shri Janarden Mehto R/o H. No.1562/X, New Bahadur Chand Colony, Hansi Road, Karnal, Haryana.

...APPLICANT

VERSUS

1. Union of India through Secretary to Govt. of India, Ministry of Finance, 215, 2nd Floor, Central Revenue Building, New Delhi.
2. Chief Commissioner of Income-Tax, N.W. Region, C.R. Building, Sector-E, Chandigarh.
3. Deputy Commissioner of Income Tax (Hq.) Admn. Chandigarh.
4. Assistant Commissioner of Income Tax, Central Circle, Karnal.

...RESPONDENTS

Present: Sh. H.S. Sandhu, counsel for the applicant.

ORDER

BY HON'BLE MRS. RAJWANT SANDHU, MEMBER (A)

1. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985, seeking inter alia following relief:

"8 (i) Issue appropriate direction to the respondents to grant compassionate employment to applicant's son namely Sunil who is having the qualification of 12th pass and is 75% physically handicapped, as the applicant's husband died in a train mishap on 7.10.2005 while he was going to Delhi on official tour.

(ii) In the alternative, issue appropriate direction to the respondents to consider and decide the claim of the

16 —

applicant for compassionate appointment within some short stipulated period as the respondents are sitting over the matter and have not decided the same."

2. Learned counsel for the applicant has been heard in the matter. He narrated the background of the matter stating that the husband of the applicant Sh. Janardan Mehto was working as Chowkidar at ACIT, Central Circle, Karnal. On 7.10.2005 when applicant's husband was going to Delhi on official tour, he was killed in a train mishap leaving behind his widow and three sons (i) Rajiv (ii) Anil and (iii) Sunil. The applicant applied for grant of employment on compassionate grounds to her younger son Rajiv but the matter did not fructify and meanwhile Rajiv became mentally upset and his whereabouts are not known since November 2011. The applicant being left with no option made representation narrating whole facts and requested to consider the claim of her son Sunil, who is 12th pass and is 75% physically handicapped, for appointment on compassionate grounds. The applicant had been visiting office of the respondents time and again and ultimately submitted written representation on 29.6.2013 (Annexure A-11) but the matter remained pending. Hence this OA had been filed.

3. Learned counsel submitted that he would be satisfied if direction is issued to the respondent department to consider and decide representation of the applicant for appointment of her son Sh. Sunil on compassionate grounds keeping in view facts narrated in her

Ms.

representation dated 29.6.2013 or to consider her own claim for appointment on compassionate grounds.

4. For the order that we propose to pass it is not necessary to issue notice to the respondents

5. Keeping in view submissions made by learned counsel for the applicant, this OA is disposed of with direction to Respondents No.2, 3 and 4 to take a decision on the representation of the applicant dated 29.6.2013 or regarding the applicant's own claim for appointment on compassionate grounds and pass reasoned and speaking order in the matter within a period of two months from the date of a certified copy of this order being served upon Respondent No.4. Order so passed may be duly communicated to the applicant.

6. Needless to say, we have not expressed any opinion on the merits of the claim of the applicant in this OA.

(DR. BRAHM A. AGRAWAL)
MEMBER (J)

(RAJWANT SANDHU)
MEMBER (A)

*Place: Chandigarh.
Dated: 31.10.2014.*

'KR'