

CENTRAL ADMINISTRATIVE TRIBUNAL**CHANDIGARH BENCH**

...

O.A. No.060/00091/2014**Chandigarh, this the 11th day of August, 2014****CORAM:HON'BLE MRS.RAJWANT SANDHU, MEMBER(A)
HON'BLE DR. BRAHM A.AGRAWAL, MEMBER(J)**

Poonam, aged about 24 years, w/o late Sh. Paramjit Singh, R/G H. No. 2587, Sector 20-C, Chandigarh.

...APPLICANT**BY ADVOCATE: SH. FATEH SAINI****VERSUS**

1. State of UT Chandigarh through its Home Secretary, UT, Civil Secretariat, Sector 9, Chandigarh.
2. Chief Engineer, Union Territory, Civil Secretariat, Sector 9, Chandigarh.
3. Director, Social Welfare, Chandigarh Administration, Sector 17, Chandigarh.
4. Superintending Engineer, Electrical Circle, UT Civil Secretariat, 5th Floor, Sector 9, Chandigarh.
5. Executive Engineer, Electrical Division No. 2, New Deluxe Building, 1st Floor, Sector 9-D, Chandigarh.
6. Atish, S/o Dharam Pal, H. No. 560, Shiv Colony 9, Karnal, Haryana.

...RESPONDENTS**BY ADVOCATE: SH. ASEEM RAI**

ORDER

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

1. Through this OA, the applicant has claimed appointment on compassionate grounds in Group 'D' as Peon and release of dues such as pension, GPF, Gratuity, GIS, Earned Leave encashment, Ex-Gratia etc. alongwith applicable interest as the dependent of one late Sh. Paramjit Singh, Junior Assistant, Office of Executive Engineer, Electrical Division No. 2, UT Chandigarh, who died while in service on 5.2.2013.
2. WS has been filed on behalf of the respondents wherein it has been stated that the applicant has sought appointment on compassionate grounds pursuant to the death of Sh. Paramjit Singh who she claims was her husband. It is stated that Sh. Paramjit Singh was earlier married to one Neelam Kumari and he had a son named Atish from this marriage. The couple were divorced and the custody of Atish remained with Smt. Neelam Kumari who thereafter married one Sh. Dharam Pal. The validity of the marriage of the applicant with Sh. Paramjit Singh was being questioned by Sh. Atish as he has alleged that the applicant was earlier married to one Sh. Manjeet

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Singh and had not obtained divorce before marrying his biological father late Sh. Paramjit Singh.

3. In view of the dispute amongst the applicant and the private respondent, the applicant and other legal heirs of the deceased had been asked vide memo No. 6694 dated 24.9.2013 to submit succession certificate so that matter of release of retiral benefits and grant of appointment on compassionate grounds could be considered on merits. Reminders were issued in this regard, but the applicant had not responded and without the succession certificate, it was not possible to take the decision regarding rightful entitlement of any person for release of the retiral and other benefits.

4. When the matter came up for arguments, learned counsel for the applicant stated at the Bar that through the present OA, he would only be pressing the claim of the applicant for appointment on compassionate grounds and sought directions to the respondents in this regard.

5. Learned counsel for the respondents stated that the matter was pending in view of the claims and counter claims of the persons who claimed to be the legal heirs of the deceased employee.

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6. In this view of the matter, the respondent department is directed to consider the claim of the applicant for appointment on compassionate grounds keeping in view the prescribed rules and procedure and pass a 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 the respondents. Needless to say we have not expressed any view on the merit of the claim of the applicant for appointment on compassionate grounds.

7. OA stands disposed of accordingly.

(RAJWANT SANDHU)
MEMBER(A)

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

Dated: August 11th, 2014.

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