

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 512/2018

New Delhi, this the 31st day of January, 2018

Hon'ble Mrs. Jasmine Ahmed, Member (J)

Smt. Sushma Rani
W/o Late Shri S.K. Singh,
(Civil Watch Man)
R/o H. No. P-156/5, WAC Quarters
Subroto Park, New Delhi ... Applicant

(Through Shri Santosh Kumar Suman, Advocate)

Versus

1. Union of India,
Through its Secretary
Ministry of Defence,
Government of India
South Block, New Delhi
2. The Commanding Officer (Headquarter)
W.A.C. (U) A.F.,
Subroto Park,
New Delhi-110010
3. Sq. Leader (Incharge),
Administration Officer, Air Force,
West Commanding Office,
Subroto Park,
New Delhi ... Respondents

ORDER (ORAL)

This is second round of litigation. Earlier, OA No.4462/2016 was filed by the applicant which was disposed of by this Tribunal vide order dated 8.03.2017, directing the respondents to verify the contention of the

applicant that her parents-in-laws were also dependent on her, by appointing a Welfare Inspector and if the contention of the applicant was found to be true, the respondents shall recalculate the merit points and consider the applicant for grant of compassionate appointment. Time calendared for the above process was three months from the receipt of a certified copy of the order. The main contention of the applicant in OA 462/2016 (supra) was that while calculating the merit points earned by her vis-à-vis other candidates, the respondents had wrongly calculated the number of dependents of her family and that if they had rightly taken into account the dependency of her parents-in-laws, she would have come within the zone of consideration as the last person to be appointed on compassionate appointment secured 66 points. In view of the statement of the learned counsel for the applicant, the Tribunal gave the above direction in OA 4462/2016 (supra).

2. In reference to the order passed by this Tribunal, a Welfare Inspector was appointed to verify the contention of the applicant in regard to dependency of her parents-in-laws on her and it was categorically recorded in the impugned order dated 4.07.2017 that in her application for compassionate appointment, the applicant had not mentioned that her parents-in-laws were either dependent on her or her deceased husband. It would be relevant to extract here

paragraphs 4, 5, 6, 7 and 8 of the impugned order, which read as under:

- “4. AND WHEREAS, it is observed that as per Para of Part A of the application for compassionate appointment submitted by you, you have mentioned that the applicant, i.e. Sushma Rani (Age 41) is the only dependent member of the deceased Government servant and your parents-in-law have not been mentioned as dependent members.
5. AND WHEREAS, a Sworn Affidavit dated 01 Dec 2014, attested by a Notary Public was also submitted by you along with your application for compassionate appointment. The following are some of the points solemnly affirmed and declared by you in the Affidavit:-
 - (a) That I was the sole Dependent on my husband and presently I have no source of income and I am the only rightful heir to receive the funds and other dues from the Office of my Late husband.
 - (b) I am the legally wedded wife of Late Shri Santosh Kumar, Watchman and my in-laws had not provided me shelter or place of living at their house after demise of my late husband.
 - (c) My father-in-law is a retired Govt. servant and getting pension and one of my brother-in-law is also a Govt. servant, working at Air HQ (VB), Air Force.
6. AND WHEREAS, it is observed from the Service Records of your late husband even during his lifetime, he had not claimed that his parents were dependent on him.
7. AND WHEREAS, it is further observed that Shri Ghasheeta Singh, your father-in-law was a Government servant and he retired as Group `C' employee from ITI, Pilibhit (UP) in the year 2000 and presently, he is drawing a monthly pension of more than Rs.10,000/- from the Government and living independently at Village : Bhogpur, Tehsil : Dhampur, District : Bijnore (UP).

8. AND WHEREAS, as per the finding of the Inquiry Report, after carefully going through all the material evidences on record and assessment of evidence, it is proved beyond doubt that Shri Ghasheeta Singh being a Government pensioner, he and his wife cannot be considered as dependents of Smt. Sushma Rani, the Applicant.”

3. Accordingly, the order of this Tribunal has been fully adhered to by the respondents and the report nowhere reflects by any stretch of imagination that the in-laws were/are dependent upon the applicant hence the applicant being not found eligible for grant of compassionate appointment, her request has not been acceded to.

4. I find that the impugned order is detailed enough with reasons and does not call for any interference. The OA is, therefore, dismissed. No costs.

(Jasmine Ahmed)
Member (J)

/dkm/