

**Central Administrative Tribunal
Principal Bench, New Delhi**

O.A. No.3706/2016

Order reserved on 29th November 2017

Order pronounced on 21st December 2017

Hon'ble Mr. K.N. Shrivastava, Member (A)

Manju Devi w/o late Shri Rakesh Kumar
EX PA No/HOD No.32 CIV IP 14 Corps OMC
Village Mukandpur Basai
PO Bolani, Teh. Bawal District Rewaree
Haryana State

..Applicant

(Mr. P P Relhan, Advocate)

Versus

1. Secretary
Ministry of Defence
South Block, New Delhi
2. Chief of the Army Staff
Integrated HQ, MOD
DHQ, New Delhi – 110 001
3. Director General
MP-4, Integrated HQ MOD
DHQ, New Delhi – 110 001
4. Officer in Commandant
Northern Command, C/o 56 APO
5. Officer in Commandant
14 CORPS, OMC, C/O 56 APO

..Respondents

(Mr. R N Singh, Advocate)

O R D E R

Through the medium of this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for the following main reliefs:-

“(I) direct the Respondents to consider the application dated 13.7.2015 of the applicant submitted through the Officer in Commandant 14 Corps, OMC, C/o 56 APO for her appointment on compassionate grounds on any post in lieu of her husband facing the acute and adverse financial condition because of the loss of only earning member of family of the deceased late Rakesh Kumar.”

2. The factual matrix of the case, as noticed from the records, is as under:

2.1 The applicant’s husband joined Indian Armed Forces Civilian as permanent Mazdoor on 15.01.2012. He died in harness on 08.06.2015 due to an accidental electric shock. The deceased had left behind 4 dependents, namely, (a) widow (applicant), (b) 3 months’ old daughter, (c) father; and (d) mother.

2.2 The applicant has applied for compassionate appointment vide her Annexure A-4 application with all necessary documents. The grievance of the applicant is that her case for compassionate appointment has not yet been considered by the respondents.

Aggrieved by this, the applicant has filed the instant O.A. praying for the reliefs as indicated in paragraph (1) above.

3. Pursuant to the notices issued, the respondents entered appearance and filed their counter reply, in which it is stated that the documentation work regarding the compassionate appointment has been completed at the Unit level and the case has been forwarded to HQ Northern Command vide letter dated 05.02.2016. It is further stated that all Depots / Units of Army Ordnance Corps are required to hold a Local Board of Officers for

compassionate appointment every year in May / June, in which all applications, received up to the end of financial year, i.e., March 31, are considered. On receipt of Board's proceedings / recommendations, a combined merit list on all India basis, depending upon the availability of Group 'C' for the purpose of compassionate appointment, is drawn. It is further stated that the applicant has paid an amount of ₹1,25,469/- towards DCRG & CGEIS of her late husband (DCRG of ₹94,956 + CGEIS of ₹30,513 = ₹1,25,469/-).

4. Arguments of learned counsel for the parties were heard on 29.11.2017.

5. From the reply of the respondents, it is quite evident that the respondents have yet not taken a final decision regarding grant of compassionate appointment to the applicant and that her case is under consideration.

6. In this view of the matter, this O.A. is disposed of with a direction to the respondents to get her case placed for consideration before the next Local Board of Officers for compassionate appointment and to take a final decision in the matter in accordance with the extant Rules as early as possible, preferably within a period of six months from the date of receipt of a copy of this order. No order as to costs.

**(K.N. Shrivastava)
Member (A)**

/sunil/