

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00167 /2017

DATED THIS THE 13th DAY OF DECEMBER 2017

HON'BLE DR.KB.SURESH, MEMBER(J)

HON'BLE SHRI P. K. PRADHAN, MEMBER(A)

Smt.HR.Radhamani,
W/o Late S.Krishna,
Aged 41 years,
R/a Chamanahalli post,
Taluk & District,
Mandya 571 401.

...Applicant

(By Shri VS.Naik..... Advocate)

Vs.

1. The Member Secretary,
Central Silk Board,
Ministry of Textiles,
Government of India,
BTM Layout,Madiwala,
Bangalore – 560 068

2.The Director,
Central Silk Board,
Ministry of Textiles,
Government of India,
BTM Layout,Madiwala,
Bangalore – 560 068

3.The Dy. Director,
Central Sericulture Research &
Training Institute,
Srirama Puram,
Manadavadi Road,
Mysore 570 008.

.....Respondents

(By Shri Vishnu Bhat ... Counsel)

ORDER (ORAL)

DR.KB.SURESH MEMBER (J):

MA.487/2017 for restoration of OA is allowed.

OA is disposed of in terms of OA.900/2016 which is extracted hereunder:-

“Heard. The matter relates to Compassionate Appointment. Apparently wrongly in paragraph 3 of the reply it was mentioned that the applicant is agitating a cause long since on the orders dated 7.3.2002 & 20.1.2002 as per Annexure A5 and Annexure A8. Therefore, we had examined this document and found that it is just a representation filed by the Union on behalf of all the employees and not in relation to the applicant as the applicant would say that her husband passed away only in the year 2015 and therefore it is squarely within the limitation.

But then apparently the matter earlier engaged the attention of the Labour Court against which a process is now being held in Hon’ble High Court of Karnataka which will now decide whether the applicant’s husband and other similarly situated persons will be eligible for regularization of their

casual employment. If they are to be held as eligible then the applicant also will have a right originating in her at that point of time. But till then applicant may not have any right to take up a cause in her favour. Therefore, we now pass a conditional order declaring the eligibility of the applicant to be considered for compassionate appointment should the Hon'ble High Court of Karnataka declare the deceased Government employee to be eligible for regularization. With this declaration, OA is closed. “

No order as to costs.

(P. K. PRADHAN)
MEMBER(A)

(DR.KB.SURESH)
MEMBER(J)

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Annexures referred to by the applicant in OA.No.167/2017

Annexure A-1: True copy of the Memorandum dated 05.04.1997.

Annexure A-2: True copy of the death certificate dated 19.05.2015.

Annexure A-3: True copy of the representation dated 18.06.2015.

Annexure A-3: Translated copy of the representation dated 18.06.2015.

Annexure A-4: True copy of the representation dated 23.07.2015.

Annexure A-4: Translated copy of the representation dated 23.07.2015.

Annexure A-5: True copy of the letter dated 03.02.2015.

Annexure A-6: True copy of the letter dated 01.12.2014.

Annexure A-7: True copy of the reply dated 15.12.2014.

Annexure A-8: True copy of the Memorandum dated 29.07.2008.

Annexure A-9: True copy of the Memorandum dated 13.04.2005.

Annexure A-10: True copy of the reply dated 27.08.2015.

Annexures referred to by the respondents in the Reply Statement

Annexure R1: Copy of the letter No.25011/1/2009-Silk dated 8.8.2012.

Annexure R2: Copy of the Judgement dated 20.1.2014.

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