

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH AT BANGALORE

ORIGINAL APPLICATION NO.170/00901/2016
DATED THIS THE 17TH DAY OF NOVEMBER, 2017

HON'BLE DR K. B SURESH....MEMBER (J)

Smt. A.S. Mahadevamma,
W/o. Late S.A. Gangadhara,
Aged 38 years,
R/a C.M. Road, 7th Ward,
Anjaneya Block,
Krishnarajanagar – 571 602.
Mysore District.

...Applicant

(By Advocate Shri.V.S.Naik)

Vs.

1. The Member Secretary,
Central Silk Board,
Ministry of Textiles,
Government of India,
B.T.M.Layout,
Madiwala,
Bangalore – 560068.

2. The Director,
Central Silk Board,
Ministry of Textiles,
Government of India,
B.T.M.Layout,
Madiwala,
Bangalore – 560068.

...Respondents

(By Advocate Shri.Vishnu Bhat, Counsel for Respondents)

ORDER (ORAL)

HON'BLE DR K.B.SURESH, MEMBER (J)

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 & 20.1.2003 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.

2. 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.

(DR K B SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the Applicant in OA No.170/00901/2016

Annexure A1 : Copy of the Central Silk Board Memorandum dated 30.10.1991 regarding engagement of Casual Labourers on daily wage basis.

Annexure A2 : Copy of the Death Certificate of the applicant's husband dated 01.04.2015

Annexure A3 : Copy of wage slip of the applicant's husband for the month of February, 2015

Annexure A4 : Copy of representation of the applicant dated 11.03.2015.

Annexure A5 : Copy of the letter dated 03.02.2015 from Central Silk Board Union, Mudalapalya, Bangalore to The Chairman, Central Silk Board, B.TM Layout, Madiwala, Bengaluru.

Annexure A6 : Copy of the letter dated 01.12.2014 from Central Silk Board Union, Mudalapalya, Bangalore to The Member Secretary/Information Officer, Central Silk Board, Bengaluru.

Annexure A7: Copy of letter No. CSB-3(1)/98-LABOUR.VOL.III dated 15.12.2014 from Joint Director, Central Silk Board, Bangalore addressed to the General Secretary, CSB Employees Union, Bangalore.

Annexure A8 : Copy of the Memorandum No.CSB/RTI/ES/L/Comp.App/2003-04 dated 29.7.2008

Annexure A9 : Copy of the Memorandum No.CSB/RTI/ES/L/529/2000-01 dated 13.4.2005.

Annexures with Reply Statement

Annexure R1: Copy of letter No. 25011/1/2009-Silk dated 08.08.2012 regarding enhancement of retirement age of Time Scale Farm Workers of Central Silk Board.

Annexure R2: Copy of judgment in OA No. 18/2013 (R) dated 20.01.2014.

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