

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00827/2017

Wednesday, this the 13th day of February, 2019

CORAM:

Hon'ble Mr. Ashish Kalia, Judicial Member

Jyothi N. Nair, Aged 29 years, D/o. Late Narayanan Nair,
Residing at Vijaya Bhavanam, Opp. Government Ayurveda Hospital,
Thuvayoor South (PO), Kadambanad,
Pathanamthitta. **Applicant**

(By Advocate : Mr. U. Balangadharan – Not present)

V e r s u s

1. Union of India, represented by Secretary,
Ministry of Defence, New Delhi – 110 001.
2. Chief of Air Staff, Air Head Quarters,
Ministry of Defence, South Block, New Delhi – 110 001.
3. Air Officer (Personnel), Air Force Head Quarters,
Viyaya Bhavan, New Delhi – 110 001.
4. Command in Chief, Southern Air Command,
Head Quarters (U), Air Force, Akkulam,
Thiruvananthapuram – 695 011. **Respondents**

(By Advocate : Mr. N. Anilkumar, SCGSC)

This application having been heard on 13.02.2019 the Tribunal on the same day delivered the following:

O R D E R(Oral)

Hon'ble Mr. Ashish Kalia, Judicial Member –

The applicant claimed relief as under:

- “i) Call for the leading to Annexure A10 and set aside the same;
- ii) Direct the second respondent to consider granting compassionate appointment to the applicant considering the indigent situation of the family left behind by the deceased;

iii) Declare that the applicant is entitled to be granted with compassionate appointment under the second respondent or in any other Central Government Organisation as per Annexure A11 order; and

iv) Such other reliefs that the Hon'ble Tribunal deem fit in the facts and circumstances of the case.”

2. Heard the learned counsel appearing for the respondents.

3. This Tribunal on 5th September, 2018 had directed that the applicant has to prove that she and her husband were dependent upon her deceased father and that she is not engaged for gainful employment elsewhere.

4. Learned counsel for the respondents have brought to my attention that the statement of accounts of the State Bank of India is not sufficient proof to know the indigence and as required by this Tribunal. The applicant is granted thirty days time from the date of receipt of a copy of this order to file the requisite certificate/documents issued by a Tehsildar to prove the indigence along with a detailed representation to the respondents. The respondents shall pass speaking order within a period of two months from the date of receipt of such representation from the applicant.

5. The Original Application is disposed of as above with liberty to the applicant to approach this Tribunal if any grievance still subsists. No order as to costs.

(ASHISH KALIA)
JUDICIAL MEMBER

“SA”

Original Application No. 180/00827/2017

APPLICANT'S ANNEXURES

- Annexure A1** - True copy of the death certificate issued by the Corporation of Thiruvananthapuram dated 1.9.2015.
- Annexure A2** - True copy of the relationship certificate issued by the Village Officer, Kadambanad dated 20.9.2017.
- Annexure A3** - True copy of the verified certificate from the Co-operative Bank dated 19.9.2017 along with English translation.
- Annexure A4** - True copy of the certificate issued by the State Bank of India, Akkulam Branch.
- Annexure A5** - True copy of the application dated 10.12.2015 submitted by the applicant to the second respondent through the third respondent.
- Annexure A6** - True copy of the no objection certificate given by the other of the applicant dated 24.6.2017.
- Annexure A7** - True copy of the undertaking dated 10.12.2015 of the applicant.
- Annexure A8** - True copy of the certificate dated 24.6.2017 issued by the Village Officer, Kadambanad along with English translation.
- Annexure A9** - True copy of the communication No. Air HQ/23039/293/Gen/PC-5(01/2016) dated 7.1.2016 of the third respondent.
- Annexure A10** - True copy of the communication dated 30.8.2017 issued by the fourth respondent.
- Annexure A11** - True copy of the OM No. 14014/02/2012/Estt.(D) dated 16.01.2013 issued by the Ministry of Personnel Public Grievances and Pension.
- Annexure A12** - True copy of the relevant pages of the clarification issued by the Department of Personnel and Training as a part of Annexure A11 OM.
- Annexure A13** - True copy of Bank statement of Shri Aravind Chandra from SBI, Kadampanad.

RESPONDENTS' ANNEXURES

Annexure R1(a) – True copy of the application dated 21.7.2017.

Annexure R1(b) – True copy of the letter dated 11.08.2017.

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