

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



No. O.A. 127 of 2019
M.A. 71 of 2019

Date of order: 14.2.2019

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

1. Jyotsna Rani Bhawal,
Aged about 65 years,
Wife of Late Ramtosh Bhawal,
Ex-Counter posted at
Office of the Chief General Manager,
Telecom Factory,
Alipore.
2. Bholanath Bhawal,
Aged about 44 years,
Son of Late Ramtosh Bhawal,
Ex-Counter posted at
Office of the Chief General Manager,
Telecom Factory,
Alipore,
Resident of 21/55/1, Canal East Road,
Kolkata – 700 067.

..... Applicants

- VERSUS -

1. Union of India,
Through the Secretary,
Ministry of Telecommunications,
Government of India,
Sanchar Bhawan,
20, Ashoka Bhawan,
New Delhi – 110 001.
2. The Chief General Manager,
Telecom Factory,
Bharat Sanchar Nigam,
248, AJC Bose Road,
Alipore,
Kolkata – 700 027.
3. The Chief Personnel Officer,
Telecom Factory,
Bharat Sanchar Nigam,
Alipore,
Kolkata – 700 027.

4. The Deputy Labour Welfare Commissioner (Central),
Telecom Factory,
Alipore,
Kolkata – 700 027.

.. Respondents

For the Applicants : Mr. B. Chatterjee, Counsel

For the Respondents : Ms. P. Goswami, Counsel

O R D E R (Oral)

Per Dr. Nandita Chatterjee, Administrative Member:

The instant Original Application has been filed under Section 19 of the Administrative Tribunals Act, 1985 praying for compassionate appointment in which the applicants have sought the following relief in particular:-

"a) Direction be given upon the respondents to give appointment to the applicant No. 2 in Group – D Post at the Department of Telecommunication, Government of India on compassionate ground under died-in-harness category in place and stead of his father Late Ramtosh Bhawal on the basis of application to that effect made by the applicant No. 2 and pending before the respondent authority.

b) A direction be given upon the respondents to produce all the relevant documents of the case before the Hon'ble Tribunal in order to render conscionable justice to the applicants.

c) To pass such other order or orders and/or further order as to Your Lordships may deem fit and proper for the ends of justice."

2. Heard Ld. Counsel for both sides, examined documents on record. The matter is taken up at the admission stage.

3. M.A. No. 350/00071/2019, arising out of O.A. No. 350/00127/2019, in which the applicants have sought leave for joint prosecution, is allowed on account of commonality of cause of action as well as common interest.

M.A. is allowed and disposed of accordingly.

4. Ld. Counsel for the applicant submits that the father of applicant No. 2 was a permanent employee of the respondent authorities and, while in service, had expired suddenly on 23.11.2000 leaving behind his wife, one son and one daughter as his legal heirs. That the applicants, thereafter, had filed an application for appointment on compassionate ground with requisite documents



and in prescribed format but as the matter has been kept pending at the level of the respondent authorities, the applicants will be fairly satisfied if a direction is issued to the concerned respondent authorities to dispose of the said representation of the applicants dated 26.11.2018 (Annexure A-6 to the O.A.) within a specific time frame.

5. Ld. Counsel for the respondents does not object if directions are issued to the authorities to consider such representation in accordance with law.

6. Accordingly, with the consent of the parties and, without entering into the merits of the matter, I hereby direct the respondent No. 2, namely, the Chief General Manager, Telecom Factory, Bharat Sanchar Nigam Limited, Kolkata, to whom the said representation has been addressed, to examine the contents of the representation, if received at his end, and to dispose of the same in the form of a reasoned and speaking order, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Decision arrived at should be communicated forthwith to the applicant.

7. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

SP