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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/ 1694 of 2018

1. Smt. Sita Kisku, wife of Late Bhola Kisku (Ex Mazdoor in the office of the Deputy General Manager, Telecom Factory, Rakha Jungle, Kharagpur-I), aged about 43 years, Housewife.

2. Bappa Kisku,
son of Late Bhola Kisku,
(Ex Mazdoor in the office of the Deputy General Manager, Telecom Factory, Rakha Jungle, Kharagpur-I) aged about 22 years, Unemployed,
both are residing at Vill. Panchrulia,
P.O. Rakha Jungle, P.S. Kharagpur(L)
District : Paschim Medinipur,
Pin- 721301.

.... Applicants

-Versus-

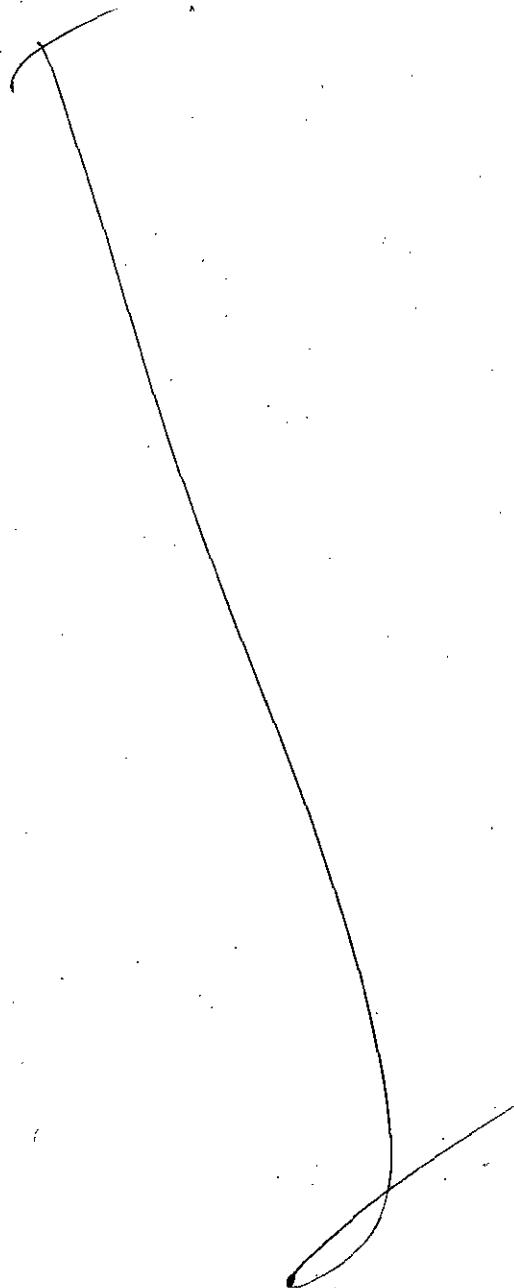
1. Union of India, service through the Secretary, Ministry of Telecommunication, Govt. of India, New Delhi-

2. Telecom Commissioner, in the office of the Deputy General Manager, Telecom Factory, Rakha Jungle, Kharagpur- I, Dist. Paschim Medinipur, Pin- 721301.

3. The Assistant Divisional Officer,
Telecom Factory, Kharagpur I, District-
Paschim Medinipur, Pin- 721301.

.... Respondents

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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1694/2018
MA/350/842/2018

Date of Order: 20.11.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

SitaKisku&Another –Vs- Telecommunication

For the Applicant(s): Mr. T. K Biswas, Counsel

For the Respondent(s): Mr. S. Paul, Counsel

ORDER (O.R.A.L)

A.K Patnaik, Member (J):

Heard Mr. T.K.Biswas, Ld. Counsel for the applicants.

2. Mr. S.Paul, Ld. Counsel, who usually appears for the Union of India, is present and on my request, Ld. Counsel for the applicant has served copy of the O.A. on him. Heard Mr. Paul in extenso.

3. M.A.No. 842/2018 filed for joint prosecution of this case is allowed and disposed of.

4. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

“ a) An order directing the respondents to give the compassionate appointment in favour of the applicant No. 2 on died-in-harness category in place of deceased employee immediately.

b) An order directing the respondents to consider the representation dated 13.8.2018 (Annexure A-5) within the specific period.

c) Leave may be granted to move this application jointly under Rule 4(5)(a) of the CAT Procedure Rules, 1987.

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d) Any other order or orders as to this Hon'ble Tribunal may deem fit and proper."

5. The brief facts of the case as narrated by the Ld. Counsel for the applicant are that the applicant No. 1, wife of the ex-employee, and after the death of her husband made application before the authority concerned praying for appointment on compassionate ground with No Objection affidavit of the other son of the deceased employee but the authorities did not consider their prayer. Ld. Counsel for the applicants submitted that ventilating their grievance the applicants have preferred representation under Annexure-A/5 on 13.08.2018 before Respondent Nos.2 and 3. Ld. Counsel for the applicants submitted that the grievance of the applicants may be redressed if Respondent Nos.2 and 3 are directed to consider their representation within a specific time frame.

6. Having heard Ld. Counsel for the parties, without going into the merit of the matter, I dispose of this O.A. by directing Respondent Nos. 2 and 3 to consider the representation of the applicants under Annexure-A/5, if the same has been filed and is pending before him for consideration, and pass a reasoned and speaking order as per rules and regulations in force within a period of six weeks from the date of receipt of copy of this order. I make it clear that if after such consider the applicants are found to be entitled to get the benefit of compassionate appointment then expeditious steps be taken within a further period of six months to extend that benefit to applicant No.2. I also make it clear that if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicants within two weeks.

7. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

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8. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent Nos. 2 and 3 by Speed Post, for which, he undertakes to deposit the cost with the Registry within a week.

9. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K.Patnaik)
Member(J)

RK/PS

