

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00157/2019

Dated Wednesday the 13th day of February Two Thousand Nineteen

**CORAM: HON'BLE MR. R. RAMANUJAM, Member (A)
HON'BLE MR. P. MADHAVAN, Member (J)**

T.Muthulakshmi,
No. 10, Melakuya Street,
Beema Nagar,
Tiruchirapalli 620001.

....Applicant

By Advocate M/s. R. Priyakumar

Vs

1.Union of India,
The General Manager,
Ordnance Factory,
Tiruchirapalli 620016.

2.The DGOF/Chairman,
Ordnance Factory Board,
Ayudh Bhawan, 10-A, S.K.Bose Road,
Kolkata 700001.

....Respondents

By Advocate Mr. M. Kishore Kumar

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))

Heard. The applicant has filed this OA seeking the following relief :

"To call for the records of the Respondent 1 dated 23.07.2018 vide No. 7714/Comp. Appt/Labour Bureau and the RMP scores sheets dated 17.04.2018, 18.04.2018, 19.04.2018, 24.04.2018, 25.04.2018, 07.05.2018 and latest by 31.10.2018 and quash the same and direct the respondent to fix the RMP Score Sheet based on the scheme existed on the date of death of the deceased employee and consider the applicant's appointment then existence vacancy on the basis of the merit list published on 11.02.2016, in which the applicant stood first in the RMP Scores, which were finalised and allocated by the Board of Officers for the one vacancy available on the above date 11.02.2016 and pass such further or other orders as this Hon'ble Tribunal may deem fit and proper and render justices."

2. The applicant is aggrieved by Annexure A8 communication dt. 23.07.2018 by which he was informed that there was a mistake in computing her score for the purpose of compassionate appointment. On account of oversight, the date of birth of the son of one S. Mariaselvi and the applicant's son had been interchanged due to which the 'minor' status of the applicant's son had been wrongly taken as 'major'. As such, the correct scores for the applicant as well as the said Mariaselvi were enclosed as Annexure A8 thereat.

3. The impugned communication further states that as per OFB instructions, the applicant had the option of filing an appeal before DGOF and Chairman, OFB if aggrieved by the decision at the factory level. The applicant should make such an appeal within a period of two months from the date of receipt of the communication through factory. The disposal/decision in such case by the OFB shall be final.

4. Learned counsel for the applicant submits that applicant had filed a

representation before the DGOF/Chairman on 13.07.2018 even before the aforesaid communication which is still pending. The applicant would be satisfied if the competent authority is directed to consider the appeal and pass appropriate orders pending which one post may be directed to be kept vacant.

5. Mr. M. Kishore Kumar takes notice for the respondents.

6. Keeping in view the above submission, as also the fact that the applicant has not exhausted her remedies before approaching this Tribunal, the competent authority is directed to consider Annexure A17 appeal of the applicant dt. 13.07.2018 in accordance with law and pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order. We leave it to the competent authority to decide whether in the meantime one post should be kept vacant in the interest of justice so that the applicant is not denied the appointment for want of a vacancy, if she is otherwise eligible and deserving and the appeal is decided in her favour.

7. OA is disposed of at the admission stage.

(P. Madhavan)
Member(J)

(R. Ramanujam)
Member(A)

13.02.2019

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