

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA 350/00919/2015

Date of order : 22.2.2016

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member

KRISHNA HAZRA & ANR.

VS

UNION OF INDI & ORS.

For the applicants : None
For the respondents : Mr.P.K.Roy, counsel
Mr.K.K.Maity, counsel

O R D E R

This matter ^{is} taken up in the Single Bench in terms of Appendix VIII of Rule 154 of CAT Rules of Practice, as no complicated question of law ^{is} involved, and with the consent of both sides.

2. None appeared for applicant. Heard ld. Counsel for the respondents.

Hence Rule 15(1) of CAT (Procedure) Rules, 1987 is invoked.

3. This application has been filed seeking the following reliefs :

- (a) Leave may be granted to file this application jointly under Rule 4(5)(a) of CAT (Procedure) Rules, 1987.
- (b) To direct the respondents concerned to cancel, rescind and/or withdraw the memo dated 4.1.12 (Annexure A/4 herein) forthwith;
- (c) To direct the respondent authorities to empanel the name of the applicant for appointment on compassionate ground in lieu of his father, Kishore Hazra, since deceased, taking into consideration the affidavit dated 23.8.13, sworn by the mother of the applicant, and as per the direction already passed by this Hon'ble Tribunal on 19.5.11 forthwith;
- (d) To direct the concerned respondents to transmit and authenticate and produce all the records in connection with the aforesaid matter before this Hon'ble Tribunal so that conscionable justice may be done to the applicant upon hearing the parties.

4. This OA was filed emboldened by a liberty granted on 11.3.15 in OA 407/14. It could be noticed that the applicant in an earlier OA being 317/12 had sought for the same reliefs. The OA was dismissed.

5. It is also noticed that an affidavit was sworn by the widow Mangala Hazra on 23.8.13 giving consent in respect of appointment of her son on compassionate ground. Thereafter no action was taken by the respondents in considering her claim. It also appears that in January 2012 Mangala Hazra, the widow of the deceased Kishore Hazra was recommended for compassionate appointment and accordingly her name was included in the pending list of compassionate appointment.

6. In view of the above since no decision has been taken by the authorities as yet in regard to consideration of Mangala Hazra or in her place Krishna Hazra, the applicant herein, the OA is a premature one and therefore it is disposed of with a direction upon the respondents to intimate their decision to Mangala Hazra, the widow of the deceased employee in regard to her consideration or consideration in favour of her son as the case may be, within two months from the date of communication of this order.

7. Accordingly the OA stands disposed of. No order is passed as to costs.

(BIDISHA BANERJEE)
MEMBER (J)

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