

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 675/2003 IN
MA NO. 681/2003

(N)

This the 26th day of March, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

1. Mrs. Gurcharan Verma
123-C, AG Pocket 1, MIG DDA Flats
Vikaspuri, New Delhi
 2. Ms. Priti Verma
123-C, AG Pocket 1, MIG Flats
Vikaspuri, New Delhi
- .. Applicants

(By Advocate: Sh. M.K. Bhardwaj)

Versus

1. Secretary
Ministry of Statistics & Programme Impelementation
Sardar Patel Bhawan, New Delhi
2. Director, Data Processing Centre
NSSO Wing II
Ministry of Statistics & Programme Impelementation
Sardar Patel Bhawan, New Delhi
3. Under Secretary
Ministry of Statistics & Programme Impelementation
Sardar Patel Bhawan, New Delhi

O R D E R (ORAL)

Applicant had filed this OA to challenge the impugned order Annexure A-1 whereby applicant No.2 had applied for appointment on compassionate grounds. Her request had been rejected.

2. Facts in brief are that father of applicant No.2 late Sh. O.P. Verma had died while working with the respondents on 1.5.94. Thereafter son of applicant No.1 Sh. Kapil Verma made an application for seeking appointment on compassionate grounds. Vide memo dated 7.7.94 his request was rejected as it was found that applicant no.1 was employed in Super Bazar. Besides that the terminal benefits were paid to the applicants and they were also getting the family pension. It seems the applicant abandoned the cause of action of Sh. Kapil Verma and then made a second application for appointment of applicant No.2. The said application was also rejected in

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July 1995. However, applicant kept on making representations and had also approached the Hon'ble Minister State of Planning for appointment of applicant No.2. Applicant was again informed that since her case had already been rejected on 16.10.95. so his request was turned down. In January 1996 applicant again approached through PS to MOS (Personnel) for appointment of her daughter on compassionate grounds. The matter was again examined and it was not found to be covered under the guidelines of DOPI and was rejected.

3. Thereafter applicant filed an OA-1624/2001 in which various pleas were taken by the respondents. However this court still directed the respondents to reconsider the case of the applicant as per instructions issued by the Govt. from time to time. It is on this reconsideration that the impugned order is stated to have been passed. In the impugned order it is again stated that though the case has been considered in view of the judgment given by the tribunal but the case of the applicant is not covered under the guidelines of the DOPI as stated so in para 3 of the impugned order itself.

4. I have heard the learned counsel for the applicant.

5. The financial condition of the applicant is to be considered at the time of the death of the predecessor of the applicant who is stated to have expired some time in the year 1994. It was found that the wife of the deceased Govt. employee was working in Super Bazar and was drawing the salary of Rs.2750.60 p.m. Though the applicant submits that the Super Bazar has been closed and the matter of retrenchment is pending before the Hon'ble High Court but it is not denied that at the time of death of Govt. servant applicant No.1 was working in Super Bazar, so the financial condition, as

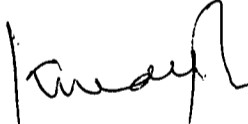


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observed by the department, was quite well at that time and department has rightly rejected the case for grant of appointment on compassionate grounds.

6. Besides that I have also found from the impugned order that earlier the applicant No.1 had approached the respondents for grant of compassionate appointment for her son namely, Sh. Kapil Verma but how and in what circumstances applicant had abandoned the claim for appointment of Kapil Verma is not clear from the pleadings. However, there is some concealment of appointment of Sh. Kapil Verma. Though Sh. Bhardwaj submits that Kapil Verma was student when his case rejected in September 1994, and by now he must have been engaged in some gainful employment somewhere. Those facts are not disclosed. It is not denied that applicant No.2 is daughter of Govt. servant. Hence, I find that on this ground also, the applicant's OA does not have any merit and the same is rejected.

7. Accordingly, I hereby dismissed the OA.


(KULDIP SINGH)
Member (J)

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