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**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA**

O.A. No.350/00821/2016.

Date of order : This the 20th Day of November, 2019.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble -Dr.(Ms) Nandita Chatterjee, Administrative



1. Smt Angur Bala Singha, wife of late
Uma Pada Singha (Ex FGM of GE Panagarh,
Burdwan) aged about 60 years,
Housewife, residing at Vill. Garrah
P.O. Rangamati, P.S. Chhatna (Via-Adra)
District – Bankura, Pin 722132.
2. Ranjan Kumar Singha, son of Late
Uma Pada Singha (Ex FGM of GE Panagarh,
Burdwan) aged about 36 years,
unemployed, residing at Vill. Garrah
P.O. Rangamati, P.S. Chhatna (Via-Adra)
District – Bankura, Pin 722132.

.....Applicants

By Advocate Mr T.K. Biswas

- Versus -

1. Union of India, service through the
Secretary, Ministry of Defence,
Army Headquarter, Govt. of India,
Kashmir House, P.O. DHQ-New Delhi,
Pin – 110011.
2. The Brig. Chief Engineer, Kolkata
Sone, Military Engineer Services,
Ballygunge Maidan camp, Gurusaday Dutta
Road, Kolkata – 700 019.
3. The Chief Engineer, Head Quarterm
Eastern Command, Fort William,
Kolkata – 700021.
4. The Garrison Engineer,
Military Engineer Service, Panagarh,
P.O. Panagarh, District – Burdwan,

Pin – 713420.

5. The Officer-in-Charge, Bud Bud Police Station,
Bud Bud, P.O. Panagarh,
District Burdwan, Pin – 713420.

.....Respondents

By Advocate Ns D. Nag.

ORDER



MS BIDISHA BANERJEE, MEMBER(J)

The applicant No.1 is the wife of late Uma Pada Singha and applicant No.2 is the son of Late Uma Pada Singha who died in harness while serving as FGM under Garrison Engineer, Panagarh. They have sought for the following reliefs :

"a) An order directing the respondents to set aside the orders dated 27.06.2013, 5.7.2013, 27.7.2015 and 4.8.2015 (Annexure A/6) or any other adverse orders and thereafter re-consider the matter of the applicant No.2 for giving compassionate appointment on the ground of died in harness category.

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

c) Any other or further order or orders, and/or direction or directions as to this Hon'ble Tribunal may deem fit and proper."

2. The speaking order under challenge in the O.A dated 24.07.2015 issued by Chief Engineer, Kolkata Zone, MES says that the applicant's case, secured 53 marks whereas the last selected candidate secured 79, before the Board of Officers that considered the matter along with others for the recruitment years 2009-10, 2010-11 and 2011-12.

3. The reply filed by the respondents disclosed the fact that the matter was re-considered again for the vacancies of 2013-14 as per latest policy and earned 66 marks. Since there were other deserving cases, the applicant could not be granted employment assistance on compassionate ground.



4. Further, at hearing both the counsels agreed, and therefore the matter is disposed of with a direction upon the authorities to place the matter before the Board of Officers for further consideration in accordance with law.

5. Let appropriate orders be issued immediately after the Board of Officers consider the matter and the same be communicated to the applicant forthwith.

O.A is accordingly disposed of. No order as to costs.

(DR NANDITA CHATTERJEE)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)

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