



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Original Application No.060/1221/2021

Chandigarh, this the 12th day January 2023

(Reserved On: 09.01.2023)

HON'BLE SH. SURESH KUMAR BATRA, MEMBER (J)

Mamta Rani aged about 45 years w/o Late Sh. Naresh Kumar, resident of Village and Post Office Kaulapur, Tehsil Thanesar, District Kurukshetra-136131.

....Applicant

(By Advocate: Sh. Harshit Anand)

Versus

1. Union of India through Department of Telecommunications, Ministry of Communications, Government of India, New Delhi through its Secretary-110001.
2. General Manager, Bharat Sanchar Nigam Limited. Telecom District Karnal, Sector 8, Karnal Haryana-132001.
3. Divisional Engineer (NWO), Bharat Sanchar Nigam Limited, Kurukshetra, Haryana-136118.
4. Sub Divisional Engineer (Administration), (K.M.P.), Telecom District Karnal, Sector 8, Karnal, Haryana-132001.

... .Respondents

(By Advocate: Sh. B.B. Sharma for R-1
Sh. K.K.Thakur for R-2 to 4)

ORDER

Per: SURESH KUMAR BATRA MEMBER (J):-

1. By way of the present Original Application, the applicant has prayed for issuance of a direction to respondents to consider and decide her claim for compassionate appointment made vide



representations dated 31.08.2017 (Annexure A-4) and dated 23.07.2020 (Annexure A-8).

2. The brief facts of the case are that the husband of the applicant Sh. Naresh Kumar, who was working as Sr. Telecom Assistant in the office of respondents, expired on 25.03.2017 in a road accident, leaving behind his wife and two minor children. The applicant submitted a representation dated 31.08.2017 (Annexure A-4) to consider her case for appointment on compassionate grounds as per policy dated 09.10.1998 consolidated vide policy dated 16.01.2013 and subsequent circulars on the subject.
3. It has been further submitted that Respondent No. 4 issued a letter dated 06.10.2017 asking Divisional Engineer (N.W.O.) Bharat Sanchar Nigam Limited, Kurukshetra, Haryana, who was appointed as the Welfare Officer, to complete the report as per the designated format and sent the same at earliest in order to take early action. But, till date no such report has been prepared and no action has been taken. The applicant again made a representation dated 23.07.2020 claiming compassionate appointment, but to no avail.
4. The respondents have submitted written statement stating therein that the claim of the applicant was received in the office of respondents on 23.04.2018 and during cross checking of the documents, some discrepancies were found and a letter was written on 05.10.2018 for submission of required documents.



Reply thereof was received on 12.11.2018. further, as disability certificate was not included with the form, so again a letter was written on 03.12.2018 for submission of disability certificate of Ravinder (brother of the applicant) for which no response was received. Meanwhile, BSNL, Corporate Office, New Delhi issued instructions on 09.04.2019, to keep compassionate appointment in abeyance for three years due to stressed financial conditions of the company.

5. Heard Ld. Counsels for both the side, considered arguments and perused records.
6. Learned counsel for the applicant argued that the representations dated 31.08.2017 and 23.07.2020 are pending with the respondents for consideration.
7. Learned counsel for the applicant further submitted that the grievance of the applicant would be redressed, if a direction is issued to respondents to consider the said representations as per the then existing policy and decide the same within a stipulated time frame.
8. Learned counsel for the respondents conceded the limited prayer made by learned counsel for the applicant for disposal of the O.A.
9. I have considered the submissions made by learned counsel for both the sides and perused the material on record. Without expressing any opinion on the merits of the case, the O.A. is disposed of with a direction to respondents no. 2 to 4 to



consider the representations of the applicant for appointment on compassionate grounds and decide the same as per relevant rules, instructions and consolidated policy dated 16.01.2013, on the subject and pass a reasoned and speaking order within a period of four weeks from the date of receipt of a certified copy of this order. A copy of the speaking order shall be communicated to the applicant within one week thereafter.

10. With the above direction, the O.A. stands disposed of. No costs.

(SURESH KUMAR BATRA)
MEMBER (J)

'mw'