

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.2620/2002

New Delhi, this 23rd day of October, 2002

Hon'ble Shri Kuldip Singh, Member(J)

Kushal Pal
Mohd. Dipura
Saharanpur (UP)

.. Applicant

(Shri Yogesh Sharma, Advocate)

versus

Union of India, through

1. General Manager
Northern Railway
Baroda House, New Delhi
2. The Divisional Railway Manager
Northern Railway
State Entry Road, New Delhi
3. Divisional Personal Officer
Northern Railway, DRM Office
New Delhi

.. Respondents

ORDER(oral)

Heard the learned counsel for applicant.

2. Applicant has challenged the orders dated 4.6.2001 and 24.4.2002 by which his request for appointment on compassionate ground has been rejected.

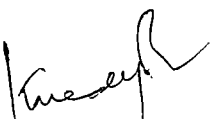
3. Applicant claims to be the legally adopted son of late Shri Om Prakash who while working as Safaiwala Nizamuddin Railway Station died in harness on 4.9.96. According to him, he has submitted the relevant documents to the respondents for grant of compassionate appointment to him on 15.3.2001 but the same was rejected informing him that the adoption deed given by him was found to be false and that he has not passed even eighth class. He again made a representation in October, 2001 but that was also rejected by order dated 24.4.2002 on the same

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grounds enumerated above. Aggrieved by this, he has filed the present OA seeking direction to the respondents to grant him compassionate appointment. He has placed reliance on the judgement of this Tribunal dated 12.2.1996 in OA 516/95 in support of the relief prayed for.

4. It is a settled legal position the Tribunal cannot give any direction for grant of compassionate appointment. A perusal of impugned orders makes it abundantly clear that after the enquiry conducted by the competent authority of the respondents it was found that the deceased had no wife or children and that there was no liability whatsoever on the applicant from the deceased and that the adoption deed submitted by the applicant was found to be fake. It is also settled legal position that this Tribunal is not expected to make roving enquiry in such matters. In view of this position, the reliance placed by the applicant on the judgement (supra) would not render any assistance to him.

5. In the result, the present OA fails on merit and is accordingly dismissed. No costs.


(Kuldip Singh)
Member(J)

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