

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

**MA.No.310/135/2020
in &
O.A.No.310/00177/2020**

Dated the Tuesday, 03rd day of March, 2020

PRESENT

Hon'ble Mr.P. Madhavan, Judicial Member

Hon'ble Mr.T. Jacob,Administrative Member

C. Gopi, aged 31 years,
S/o. Late R. Chakrapani,
No.14/8, Mariamman Koil Street,
Mayanur,
Karur District-639 108.

...Applicant

(By Advocate : Ms. T. Banumathy)

Vs.

1. The Chairman,
Railway Board,
Rail Bhavan,
New Delhi-110 001;
2. The General Manager,
Southern Railway,
Park Town,
Chennai-600 003;
3. The Chief Personnel Officer,
Southern Railway,
Park Town,
Chennai-600 003;
4. The Divisional Personnel Officer,
Salem Division,
Southern Railway,
Salem-5.

...Respondents

(By Advocate: Mr. Su. Srinivasan, Sr. CGSC)

O R A L O R D E R
(Order: Pronounced by Hon'ble Mr.P. Madhavan, Member(J))

MA 135/2020 filed seeking amendment of the OA is allowed. Applicant is permitted to make necessary amendments as sought in the MA today.

2. OA is filed seeking the following reliefs:-

"i) to call for the original records pertaining to the impugned order No. SA/P.CON/CGA/57/2010 dated 02.07.2019 passed by the 4th respondent and quash the same;

ia) to call for the records pertaining to the Railway Board letter No. E(NG)II/2018/RC-1/5 dt:21.03.2018 passed by the 1st respondent and quash the same;

ii) to direct the respondents to consider the applicant for appointment on compassionate grounds at the earliest or within the time stipulated by this Hon'ble Tribunal; and

iii) to grant such other further reliefs that this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice."

3. When the matter is taken up for consideration, learned counsel for the applicant submits that impugned order not granting compassionate appointment was not passed without considering the recent circular of Railway Board bearing RBE No. 218/2019 No. E(NG)II/2016/RC-1/CR/12(pt) dated 30.12.2019. The counsel would submit that applicant would be satisfied if his client is permitted to make a fresh representation to the respondents citing the latest Railway Board circular (Supra) and upon receipt of the same by the respondents, his representation would be considered and disposed of within a time frame set by the Tribunal by passing a reasoned and speaking order.

4. Mr. P. Srinivasan, Learned Sr. Standing counsel has no objection to the above prayer.

5. In view of the limited relief sought, without going into the merits of the case, OA is disposed of by permitting the applicant to make a fresh representation citing the latest Railway Board circular dated 30.12.2019 within a period of two weeks from today and upon receipt of the same, the competent authority is directed to consider and dispose of the representations by passing a reasoned and speaking order within a period of three months from the date of receipt of the representation.

6. OA is accordingly disposed of. No costs.

(T. JACOB)
MEMBER(A)

(P.MADHAVAN)
MEMBER(J)

03.03.2020

asvs