

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**



**OA No. 1906/2019
MA No. 2072/2019**

New Delhi, this the 6th February, 2020

HON'BLE MS. ARADHANA JOHRI, MEMBER (A)

Govind, age about 28 years,
S/o Late Shri Ishwar (Ex Gangman. G(D))
Office Rithala, Dist. Rohtak, Haryana,

....Applicant

(By Advocate: Sh. B. C. Nagar)

Versus

1. Union of India, through
General Manager,
Northern Railway,
Baroda House, New Delhi.

2. Divisional Railway Manager(DRM),
DRM's Office, Chelmford Road,
New Delhi.

3. Sr. Divisional Personnel Officer, DRM's Office, New Delhi

....Respondents

(By Advocate: Sh. Satpal Singh)

ORDER (O R A L)

The applicant's mother had applied on behalf of the applicant for appointment on compassionate ground in 2013 in light of death of applicant's father late Sh. Ishwar, who was Gangman with the respondents and expired in 2004. He was medically examined by the respondents and declared unfit in



all categories vide memo no. 327920 dated 16.07.2013. This was conveyed to the mother of the applicant vide DRM letter No. APP CG/10379/S.Cell/P dated 01.08.2013 addressed to the mother of the applicant at the same time informing her that she could apply for compassionate appointment for herself in case she wanted, which case would be considered.

2. Thereafter, the applicant did nothing for several years. However, on 15.04.2019, he gave an application to the Senior D.P.O, DRM Office, Delhi for medical re-examination for appointment on compassionate ground. This was rejected vide DPO, New Delhi vide letter dated 30.04.2019 on the grounds of being 'time barred'.

3. The applicant filed the instant OA seeking following relief(s):-

- (i) *To consider the request of the applicant for medical re examination for compassionate appointment.*
- (ii) *To consider him as handicapped as per disability certification issued by the office of the Civil Surgeon under Chairman handicapped quota.*
- (iii) *To appoint him on compassionate ground after passing medical examination against handicapped quota where the Applicant declared 40% permanent physical impairment/blindness in relation to vision.*
- (iv) *Any other relief, which the Hon'ble Tribunal may deem fit, just and proper in the circumstances of the case, may also be passed.*

(v) *Cost of the present case may be awarded in favour of the applicant and against the respondents."*



4. Heard Sh. B. C. Nagar, learned counsel for the applicant and Sh. Satpal Singh, learned counsel for the respondents.

5. At this stage, learned counsel for the applicant requested for permission to withdraw the OA with liberty to file a representation before the respondents for consideration of his appointment under handicapped quota under the compassionate appointment policy.

6. The OA as well as MA are dismissed as withdrawn with the liberty to the applicant to file a representation before the respondents as above within a period of thirty days from the date of receipt of a certified copy of this order.

7. No order as to costs.

(Aradhana Johri)
Member (A)

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