

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

D.A. No. 1231/95

Date of decision 14.8.96

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

1. In the matter of

Shri Manohar Lal
s/o Sh. Nathu Ram
R/o 58/B-1, Chotta More Sarai,
Railway Colony, Delhi

2. Shri Arun Kumar

s/o Sh. Manohar Lal
Qtr. No. 58/B-1, Chotta More Sarai,
Railway Colony, Delhi.

... Applicants

(By Advocate Shri S.K.Sawhney)

Vs.

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

2. Divisional Rly. Manager,
N.R. D.R.M. Office, New Delhi.

3. Divisional Personnel Officer
Northern Railway,
D.R.M. Office, New Delhi.

... Respondents

(By Advocate Shri R.L.Dhawan)

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

The main grievance of the applicants in this application was regarding/ appointment of applicant No.2 on compassionate grounds on retirement of his father, applicant No.1, on medical grounds w.e.f. 17.3.1993. The respondents have filed their reply in which they have submitted that applicant No.2 has since been issued notice dated 4.6.96 (Ann.R.2) by which he has been selected for the post of Enquiry and Reservation Clerk on compassionate grounds. Shri Sawhney, learned counsel for the applicant confirms that the applicant has since been appointed to this post following the order of 4.6.96.

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2. In the above circumstances, the relief prayed for in para 8(i) to appoint applicant No.2 on compassionate grounds no longer survives.

3. Regarding the prayer in para 8(ii) of the application, the learned counsel for the applicant submits that no further representation has been made to the respondents in respect of regularisation of the Railway quarter which was allotted to the father after 4.6.96 i.e. the date of appointment of applicant No.2 on compassionate grounds.

4. The other reliefs prayed for in para 8(iii) to (vi) would depend on the decision which is yet to be taken by the respondents, in case applicant makes a representation as mentioned above for regularisation of the quarter. In the facts and circumstances of the case, it is considered premature and, therefore, unnecessary to make any comments at this stage on these reliefs.

5. In the above facts and circumstances of the case, this J.A. is disposed of with the following directions:-

(i) The applicants may immediately submit a representation to the respondents giving all the details, for their consideration and regularisation of the quarter No.58/B-1, Chhota More Sarai, Railway Colony in the name of applicant No.2, consequent upon his appointment on compassionate grounds to the post of Enquiry and Reservation Clerk following the notice dated 4.6.96. The respondents shall consider this representation in accordance with the rules and pass a reasoned and speaking order thereon under intimation to the applicant within a period of three months from the date of receipt of the representation.

6. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)