

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/51/2021

HYDERABAD, this the 27th day of January, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member

Sri G. Prakash, S/o. G. Satyanarayana, Gr. 'C',
Aged about 57 years,
Ex-Points Man 'A', Nanded Division,
SC Railway, R/o. D.No.11-160/107, B.J.R. Nagar,
Mirjalguda, Malkajigiri – 500 047,
Telangana.

...Applicant

(By Advocate : G. Pavana Murthy)

Vs.

1. Union of India rep. by its
The General Manager,
South Central Railway,
Secunderabad.
2. The Chief Personnel Officer,
4th floor, S.C. Railway,
Rail Nilayam, Secunderabad.
3. The Divisional Railway Manager,
SC Railway, Nanded Division,
Nanded, Maharashtra.
4. The Senior Divisional Personnel Officer,
S. Railway, Nanded Division,
Nanded, Maharashtra.

...Respondents

(By Advocate : Sri V. Vinod Kumar, SC for Rlys.)

ORAL ORDER**(Hon'ble Mr. B.V. Sudhakar, Admn. Member)****Through Video Conferencing:**

2. The OA is filed in regard to compassionate appointment and disposal of the representation submitted on 30.8.2019 in regard to the same.

3. Brief facts of the case are that the applicant, while working for the respondents Organization as Pointsman, was medically de-categorised on 9.11.2011. Even after waiting for 3 years, alternative post was not offered by the respondents to the applicant and therefore, he sought voluntary retirement from service to seek appointment to his son on compassionate grounds. Though respondents finally offered the alterative post on 4.3.2015, applicant chose to retire voluntary, which was accepted w.e.f 31.3.2015. However, offer of compassionate appointment to his son is pending despite representations dated 24.3.2018/30.8.2019 and hence the OA.

4. The contentions of the applicant are that his son is eligible for compassionate appointment as per Sl. Circular No.92/2006 and the clarification issued thereon by the 2nd respondent vide letter dated 12.9.2017. The applicant has more than 8 years service left at the time of voluntary retirement. Representations submitted have not been disposed.

5. Heard both the counsel and perused the pleadings on record.

6. The issue is about grant of compassionate appointment to the ward of the applicant who took voluntary retirement in 2015 after he was medically de-categorised on 9.11.2011. Applicant claims that his ward is eligible for compassionate appointment as per Railway Board circulars vide RBE No.78/06, No. E (NG) II/95/RC-1/94 dated 22.9.1995 & No. E (NG) II/78/RC-1/1 dated 30.4.1979 and as per Serial Circular No.92/2006 with the attendant clarification dated 12.9.2017. Applicant had 8 years of service left at the time of his voluntary retirement and that his son has the requisite educational qualifications to be considered for compassionate appointment. Representations were submitted on 24.3.2018/30.8.2019 but of no avail.



7. In view of the aforesaid circumstances, we direct the respondents to dispose of the representations referred to, keeping in view the grounds stated in the OA, by issuing a speaking and reasoned order, within a period of 8 weeks from the date of receipt of this order.

With the above direction, the OA is disposed of, at the admission stage, without going into the merits of the case. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/evr/