

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH**

LIBRARY

O.A./350/422/2020

Date of Order: 19.10.2020



Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Mr. Tarun Shridhar, Administrative Member

Miss Sunita Oraon, U/M daughter of late Khoka Oraon, Ex-Trackman, under SSE/P-WAY/SM, aged 23 years, residing at Vill - Medgumra, P.O. - Kandaran, Dist. - Malda-732139.

..... Applicant

- V E R S U S -

1. Union of India, through the General Manager, North East Frontier Railway, Maligaon (Assam), Pin - 781011.
2. General Manager/North East Frontier Railway/Maligaon (Assam)
3. Chief Personal Officer/N.F Railway/Maligaon (Assam)-781011.
4. Divisional Railway Manager/N.F Railway/Katihar (Bihar) - 854105.
5. Divisional Personal officer/ N.F Railway/Katihar (Bihar) - 854105.

..... Respondents

For the Applicants : Mr. A.K.Paul, Mr.P.C.Das & Ms.T.Maity, Counsel

For the Respondents : Mr. P.Prasad, Counsel

O R D E R (Oral)

Tarun Shridhar, Administrative Member:

The applicant, Ms. Sunita Oraon, an unmarried daughter of Late **Khoka**

Oraon, a deceased Railway employee who died in harness, has sought Compassionate Ground Appointment (CGA) in the Department of Railways in accordance with rules and instructions of the Department. She has made several representations in this regard, the decision on which is pending except for one communication dated 07.09.2018 vide which the office of General Manager, Maligaon, Guwahati has informed that as per the instructions of the Railway Board no fresh appointments are being made as per the old terms and conditions. Curiously, this communication mentions that "your case cannot be considered now". The logical inference is that the case can be considered at a later stage, if not now.

2. At the time of death of the Railway employee, he was survived by four daughters; three of whom were married. The third daughter, however, was undergoing divorce proceedings and had submitted an application for CGA. Since, she was legally married at that stage, her application was not considered as she could not be termed as legally dependent upon the deceased. The applicant, who is the youngest daughter of the deceased employee was a minor at that time and on attaining majority she has submitted a representation for CGA, the decision on which is said to be pending.

3. Accordingly, it would be in the fitness of things to dispose of the O.A. at this stage, with a direction to the respondents and the appropriate authority of the department to take a compassionate view in the matter and take a decision on applicant's representation for CGA at the earliest, in any case not later than 4 weeks from the date of this order, in accordance with the rules and guidelines contained in the various instructions and circulars of the Department of Railways

as also as per the observations of the Hon'ble High Court of Kolkata in WPCT
No.218/2012 and WPCT No. 20/2009.

4. The O.A. is disposed of accordingly with no order as to costs.

(Tarun Shridhar)
Member (A)

(Bidisha Banerjee)
Member (J)

RK

