

08

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. NO.2615 of 2004

New Delhi, this the 29TH day of October, 2004

HON'BLE SHRI V.K. MAJOTRA, VICE CHAIRMAN (A)

Pankaj Kumar
S/o Late Arun Singh,
152/4, Rly. Colony,
Shanker Market, Connaught Place,
New Delhi-11001.

...Applicant

(By Advocate: Shri Sumeer Kumar Srivash for Shri M.K. Choudhary)


versus

1. Union of India,
Ministry of Railway,
Baroda House, New Delhi.
2. General Manager,
Northern Railway, Baroda House,
New Delhi.
3. The Asst. Personnel Officer,
The Central Hospital
Northern Railway, Central Hospital,
New Delhi.
4. DRM, State Entry Road,
New Delhi Rly. Station,
New Delhi.
5. Medical Director
Central Hospital
Northern Railway,
New Delhi.

...Respondents

ORDER (ORAL)

Learned counsel heard.

2. It is claimed that applicant born in the year 1982 out of the wedlock of his natural parents namely Shri Ambeshwari Prasad and Smt. Uma Devi. Applicant is stated to have been adopted by late Smt. Sushila Srivastava, who was employed as Female Dressor with the Central Railway Hospital, New Delhi. The adopted mother of the applicant ^{is} stated to have executed affidavit declaring applicant's name as her nominee in respect of P.F., Gratuity etc. although the deceased Govt. servant had not executed a registered adoption deed. Her husband, i.e., the  adopted father of the applicant executed such a deed on 12.11.1998 to the effect

3

that the applicant was living and residing with his adopted parents. Smt. Sushila Srivastava died on 18.8.1988 and her husband too died on 4.7.1999. Applicant is stated to have made application (Annexure A-5) dated 27.9.1999 seeking appointment on the post of Grade IV on compassionate ground. He had reminded the respondents on 20.5.2003 (Annexure A-7). Both Annexures A/5 and A/7 remained un-replied on the hands of the respondents. Learned counsel stated that although respondents have asked for succession certificate from applicant in respect of certain other matters, they have not asked for the same in the matter of appointment on compassionate ground.

3. On considering the contentions raised before me and without expressing any opinion whether or not succession certificate is necessary for the purpose of seeking appointment on compassionate ground, in my view, at this stage and in the interest of justice, this OA should be disposed of with a direction to the respondents to consider applicant's application (Annexure A/5) dated 27.9.1999 read with reminder (Annexure A/7) dated 20.5.2003 by passing a detailed and speaking order within a period of three months from the date of receipt of these orders. Ordered accordingly.

V.K. Majotra
(V.K. MAJOTRA)
VICE CHAIRMAN (A)
29.10.04
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