

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 31st day of January, 2001

Original Application No. 284 of 1996

CORAM :-

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

1. Jamuna Pd son of Mata Bada,

Ex.Gangman,

Resident of 354 Sadar Bazar,

Allahabad.

2. Mata Badal, ex.Gangman S/o Late Dukhi,

R/o Village Purelal Khan (Kurwa), Kumarganj,

P.O. Mewapur, dist-Faizabad.

(Sri A.K. Sinha, Advocate)

..... Applicant

Versus

1. Union of India through General Manager,

N.E.Railway, Gorakhpur.

2. Divisional Railway Manager (P),

N.E. Railway, Izatnagar, Bareilly.

(Sri Avnish Tripathi, Advocate)

..... Respondents

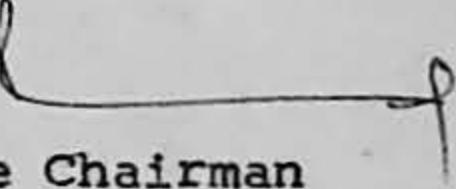
O R D E R (O_r_a_1)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to the respondents to appoint the applicant on compassionate ground in place of Mata Badal, who was medically declared unfit for the job. The applicant claims himself to be adopted son of Mata Badal, which is highly disputed in the present case. The applicant relied on the Registered Adoption Deed (Annexure-A-3). However, the deed does not contain the signatures of both the persons, who gave their son in adoption and the person who accepted the



child for adoption as required under Section 16 of the Hindu Maintenance and Adoption Act, 1956. The document has been signed only by Mata Badal, the adopted father. The applicant is not entitled for presumption provided under Section 16 of the aforesaid Act. In these facts and circumstances, the applicant is not entitled for a direction claimed in this OA unless he is declared to be adopted son by the competent Civil Court. The OA is accordingly dismissed. If the applicant is advised, he may approach Civil Court and obtain declarattion that he was adopted son of Mata Badal. There shall be no order as to costs.


Vice Chairman

Dube/