

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 19th day of March, 2001

C O R A M :- Hon'ble Mr. S. Dayal, Member- A.

Original Application No. 46 of 1999

Smt. Panjeera Devi W/o Late Harnam

R/o Seokhar. P.O. Bhogapur. Distt. Varanasi.

.....Applicant

Counsel for the applicant :- Sri S.K. Dey
Sri S.K. Mishra

V E R S U S

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, N. Rly. Allahabad.

.....Respondents

Counsel for the respondents:- Sri A. Tripathi

O R D E R (Oral)

(By Hon'ble Mr. S. Dayal, Member- A.)

This application has been filed for a direction to the respondents to consider the applicant's son for compassionate appointment.

2. Applicant's claim is that her husband Late Harinam S/o Deo Nath was employed as Gang Man under P.W.I, Chunar prematurely died in 1977 after serving as Gang Man from 1970 to 1977. At the time of death of the applicant's husband, applicant's son was one year old and applicant on account of illiterate was not applied for compassionate

appointment. The applicant was not paid any settlement dues or pension. The applicant made an application on 12.10.94 for appointment of her son on attaining the age on majority. She came to know about Ramjee S/o Sangram who was working in place of her husband as her husband name Hari Nam S/o Deo Nath under P.W.I, Chunar. She made complaint and after enquiry the said Ramjee S/o Snagram was removed from service. The applicant made representation on 28.01.97 to consider her compassionate appointment but no reply was given.

3. I have heard Sri S.K. Dey, learned counsel for the applicant and Sri A. Tripathi, learned counsel for the respondents.

4. Learned counsel for the respondents has contested the claim of the applicant that she is not entitled to compassionate appointment on the ground that husband of the applicant had worked as casual Gang Man under P.W.I, Chunar in broken spells between 1970 to March, 1977 on daily rated basis. The learned counsel for the respondents has also stated that only dependents of casual Gang Man with temporary status are entitled to be considered for compassionate appointment under the Railway Board's Letter dt. 31.12.86 and 14.03.97 (annexure CA-5 and CA-6). It is clear from these annexures that only the dependents/heirs of casual labours with temporary status are entitled to compassionate appointment.. Since the applicant's husband did not have temporary status as he had worked in broken spells only before his death, the prayer for compassionate appointment of applicant's son is not within the rules. The O.A is lacking merits and is dismissed.

5. There will be no order as to costs.


Member- A.

|Anand/