

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Allahabad this the 17th day of April 2001.

Original Application no. 511 of 1998.

Krishna Devi, Daughter of Late Sri Laxman Singh,
House no. 224, Near Santoshi Mata Mandir,
Mohalla Hirapura, Nagara, Jhansi District,
JHANSI.

... Applicant

C/A Shri H.O. Khare

Versus

1. Union of India through,
General Manager, Central Railway,
MUMBAI VT.
2. Divisional Railway Manager,
Central Railway, Jhansi Division,
JHANSI.

... Respondents

C/Rs Sri K.P. Singh

ORDER (Oral)

Hon'ble Mr. SKI Naqvi, JM

The applicant Ms Krishna Devi, has come up seeking relief to the effect that the respondents be directed to provide ~~the~~ service to the applicant as class IV employee in place of her late mother Smt. Jamunabai under the provisions of dying in harness rules.

See u.

...2/-

2. As per applicant's case, she is adopted daughter of Smt. Jamunabai, who died on 5.5.94 while in service of respondents establishment as class IV employee. Smt. Jamunabai was the sole bread earner of the family and on her death, the applicant is without any source of lively hood. It has also been mentioned that after her due marriage, the applicant has been divorced by her husband.

3. The respondents have contested the case and filed counter affidavit with specific mention that the application of the applicant for compassionate appointment ^{was} ~~were~~ considered, but she was not found eligible for this consideration.

4. Heard learned counsel for the rival contesting parties and perused the record.

5. Up to certain extent the prayer in the relief clause is erroneous requesting the direction to provide service to the applicant. It could only be a direction to consider the case of the applicant and under given circumstances the case of the applicant was considered and decided vide order dated 12.1.98 addressed to the applicant which is annexure 1 to the counter affidavit. The applicant has not sought for any relief assailing this letter and thereby a

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futile exercise to issue another direction to consider
the case of the applicant, whereas it ^{has already been} ~~is~~ considered
and decided. The OA is dismissed being devoid of
merit.

6. No order as to costs.

See margin

Member-J

/pc/