

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 647 of 1998

Allahabad this the 04th day of April, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)

1. Smt.Nasari Begam, Widow of Late Nazir Hasan,
R/o D-50/35 B, Purani Adalat Dal Mandi, Distt.
Varanasi.
2. Abid Hasan, S/o Late Nazir Hasan, R/o D-50/35 B,
Purani Adalat Dal Mandi, Varanasi.

By Advocate Shri B.K. Narain

Versus

1. Union of India through Ministry of Railways, Rail
Mantralay, New Delhi.
2. Divisional Railway Manager(Personnel), Varanasi.
3. General Manager, North Eastern Railways, Gorakhpur.

By Advocate Shri K.P. Singh

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The applicant has come up impugning the order dated 24.6.1997 through which her claim for compassionate appointment has been refused. She has sought for relief to the effect that the order be quashed and respondents no.2 and 3 be directed to appoint applicant no.2 on compassionate ground.

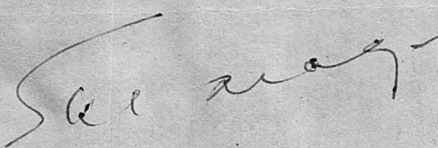
2. As per applicants case, the husband of

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applicant no.1 and father of the applicant no.2 died on 06.10.1974 while holding the post of Vidut Khalasi leaving behind him his dependent as Smt.Nasari Begam-widow, Shri Abid Hasan-son and Kumari Nusrat Jahan-a minor daughter. At the time of death of Shri Nazir Hasan, his son-Abid Hasan was of only 3 years old. The widow of deceased employee could not apply for appointment on compassionate ground being pardanashin lady. When Abid Hasan-applicant no.2 attained the age of majority, he applied for appointment on compassionate ground, which has been rejected as per impugned order.

3. Heard Shri B.K. Narain, counsel for the applicant and Shri K.P. Singh for the respondents.

4. Perusal of the impugned order dated 24.7.97 goes to show that it only communicated that the prayer of the applicant for appointment on compassionate ground was considered by the General Manager and who did not find the same worth to be considered. There is no mention as to why the application of the applicant was not found worth to be considered and there is no ground for which the same has been rejected and thereby this cursory and flimsy order cannot be sustained. The same is quashed accordingly and the competent authority in the respondents establishment is directed to re-consider the whole matter and pass a fresh order within 3 months from the date of communication of this order. In case the request of the applicant is not acceded, a detailed, speaking and reasoned order be passed. The O.A. is decided accordingly. No order as to cost.


Member (J)

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