

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

Dated: Allahabad, the 19th day of March, 2001.

Coram: Hon'ble Mr. S. Dayal, A.M.

(D. No. 1148/2001)

ORIGINAL APPLICATION NO.311 OF 2001

1. Kamlesh Kumar Rai,
son of Deshraj,
r/o village Simraha, Post Bhatta Gaon,
Sadar Bazar, District Jhansi,
Uttar Pradesh.
2. Deshraj,
son of Kishori,
retired Shunter under D.R.M. Central Railway,
Jhansi, resident of village Simraha,
Post Bhatta Gaon, Sadar Bazar,
District Jhansi, Uttar Pradesh.

. Applicants

(By Advocate: Sri H. P. Pandey
and Sri A. D. Prakash)

Versus

1. Union of India through the General Manager,
Central Railway Head Quarter Office,
C. S. T. Mumbai.
2. Divisional Railway Manager,
Central Railway, D.R.M.'s office,
Central Railway, Jhansi.

. Respondents

(By Advocate Sri K. P. Singh)

ORDER (ORAL)

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

This application has been filed for a direction to the respondents to consider the application of applicant no.1 for appointment on compassionate grounds in any group 'D' post.

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2. The applicant no.2, who was the father of the applicant no.1 was appointed in the service of Respondents on 16.9.1961 and while working as senior Shunter was sent for medical examination from 19.4.99 to 8.6.99. He was declared unfit in A-1, A-2 and A-3 categories. The medical examination was completed on 8.6.99 and the applicant no.2 was retired on the basis of medical report and his retiral benefits were settled by an order dated 23.3.2000. The date of superannuation of the applicant no.2 is stated to be 31.8.2000. The Railway Board by their letter No.E(NG)L ~~88~~-RE-3/1 dated 11.4.88 have provided for compassionate appointment for the dependents of medically de-categorised non-gazetted staff. The applicant No.2, therefore, made an application for appointment of his son, who is applicant no.1 in this case and has passed Class VIII to be appointed on any post in group 'D'. He again sent a reminder on 25.9.2000. However, no reply has been given to him.

3. The arguments of Sri H. P. Pandey and Sri A. D. Prabhakar for the applicants and Sri K. P. Singh for the respondents have been heard.

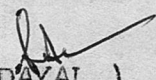
4. The learned counsel for the Respondents drew attention to the fact that the applicant no.2 was to superannuate on 31.8.2000 and has received full retiral benefits and, therefore, the claim of the applicant no.1 would not come within the scope of dependants of the Railway employees, who are given compassionate appointments

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5. Since the applicant no.2 has sought the appointment of his son and the application for the same is pending with the Respondents, I consider it appropriate in the facts and circumstances of the case to direct the Respondent No.2 to dispose of the said application dated 9.8.2000, as per rules within three months from the date of receipt of a copy of this order and inform the applicants of the same.

There shall be no order as to costs.


(S. DAYAL)
MEMBER (A)

Nath/