

OPEN COURT

**Central Administrative Tribunal Allahabad Bench  
Allahabad.**

**Allahabad This The 13<sup>th</sup> Day Of October, 2008.**

ORIGINAL APPLICATION NO. 1216 OF 2004.

**Present:**

**Hon'ble Mr. Justice A.K. Yog, Member (J)**

1. Govind Kumar Kanaujia son of late Sant Lal Kanaujia aged about 26 years, resident of House No. 227 I.J. City Side Railway Colony, Kanpur Nagar.
2. Smt. Munni Devi, widow of late Sant Lal Kanaujia, aged about 50 years, resident of House NO. 227 I.J City Side Railway Colony, Kanpur Nagar.

.....Applicant

By Advocate : Shri V.R. Dwivedi

Versus

1. The Union of India Notice to be served upon- THE GENERAL MANAGER, NORTH CENTRAL RAILWAY, HEAD QUARTER OFFICE, ALLAHABAD.
2. The Divisional Railway Manager, North Central Railway, Allahabad Division, Nawab Yusuf Road, Allahabad.

.....Respondents

By Advocate: Shri A. K. Roy

**ORDER**

Heard Shri V.R. Dwivedi, Advocate learned counsel for the applicant, none for the respondents.

2. By means of present O.A., applicant seeks to challenge order dated 21.08.2003- as corrected vide order dated 13.8.2004 (filed jointly as Annexure A-1 to the O.A.).

3. Perusal of the impugned order itself mentions that Sant Lal Kanaujia (father of the Applicant) died on 4.7.2002, when

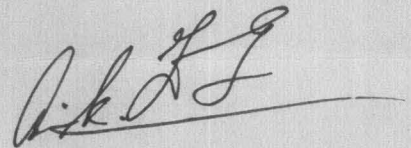




he was not in service, Sant Lal was declared medically unfit in August 1999. After completing requisite formalities, he was found eligible to be absorbed as a 'medically de-categorized' - Shunting Zamadar but he did not join as such. Sant Lal preferred to file 'appeal' claiming re-medical examination. It was decided against him. Late Sant Lal Kanaujia, refused to join decategorized post. His representation was rejected. Late Sant Lal Kanaujia, however, died in July 2002, when he was not in the service of the Railways.

4. Impugned order further indicates that the applicant did not file application for compassionate appointment on the ground of his father being declared prescribed time i.e. 5 year. Application in question was filed after 12 years, which has been rejected on the ground being highly belated. I find no illegality in the impugned order. O.A. has no merit and accordingly it is dismissed.

5. No order as to costs.



(Justice A.K. Yog)

Member (J)

Manish/-