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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD

Original Application No.254 of 2005.

Allahabad, this the 16th day of March, 2005.

Hon'ble Mr. A.K. Bhatnagar, J.M.

Surender
Son of late Sri Ram Naresh
Resident of Village Senuri,
Post Office Pipiganj
District Gorakhpur.

.... Applicant.

(By Advocate: Shri B.N. Mishra)

Versus

1. Union of India,
Through the General Manager,
North East Railway, Gorakhpur.
2. Divisional Railway Manager,
N.E. Railway, Lucknow.
3. Superintendent Diesel Lab,
N.E. Railway, Gorakhpur.

.... Respondents.

(By Advocate : Shri A.K. Gaur)

O R D E R

By Hon'ble Mr. A.K. Bhatnagar, J.M. :

By this O.A., the applicant has prayed for a direction to respondents to appoint the applicant as Class Ivth employee on the compassionate ground under the dying in harness rules in place of his father, according to his qualification with a further direction to consider the representations dated 15.12.2003 and 15.3.2004 filed as Annexure-A-1 and Annexure-A-2 of the O.A.

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2. The brief facts as per the applicant are that the father of the applicant died on 17.9.2003 while serving as a Class IV employee on the post of Parichalkiya Pratham Fire Man in North East Railway Compierganj Railway Station Gorakhpur. Thereafter the applicant filed an application/representation dated 15.3.2004 before the Concerned Authority for the appointment of the applicant under dying in harness rules, which is still pending undecided in the department, hence he field this O.A.

3. During the course of the argument, learned counsel for the applicant submitted that the applicant will be satisfied if his representation filed as Annexure-5 dated 15.3.2004 is decided by the Competent Authority by a reasoned and speaking order within a specified period.

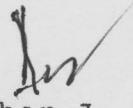
4. After hearing counsel for the parties, I consider it a fit case, which can be decided at the admission stage itself without calling for counter by issuing a direction to the respondents to consider and decide the representation of the applicant.

5. The O.A. is finally disposed of with direction to respondent No.2 i.e. Divisional Railway Manager, N.E. Railway, to consider and decide the representation filed by the applicant on 15.3.2004 by a reasoned and speaking order within a period of three months from

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the date of receipt of copy of this order. To avoid delay, the applicant may file a fresh representation to the Competent Authority alongwith a copy of this order. No order as to costs.



Member-J

RKM/