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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 277 of 2005

Allahabad this the 18th day of March 2005

Hon'ble Mr. A.K. Bhatnagar, Member (J)

Mahendra Kumar Agarwal, aged about 35 years, Son of Shri Atma Ram Agarwal, resident of 9 Gandigar Tapra, Jhansi.

Applicant

By Advocate Shri R.K. Nigam

Versus

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Jhansi.

Respondents

By Advocate Shri A.K. Gaur

O R D E R

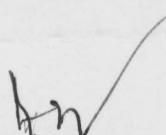
By this O.A., applicant has prayed to quash the orders dated 19.02.2004, 06.08.2004 and 20.01.2005 and to direct the respondents to appoint the applicant on compassionate ground in Class III Group 'C' category. At the out set learned counsel for the applicant submitted that he would not be pressing the reliefs sought in this O.A. in case he is granted liberty to file a fresh representation to respondent no.2 i.e. Divisional Railway Manager, North Central Railway, Jhansi for redressal of his grievances and appropriate direction is issued to the competent authority to decide his representation as per extent rules within a specified period.

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2. The brief facts as per the applicant are that father of the applicant was medically decategorised for all classes on 13.04.1999 and thereafter he was not given any alternative or supernumerary job. Thereafter father of the applicant applied for compassionate appointment of his son Shri M.K. Agarwal on 20.12.2001. As per applicant the C.P.O. Headquarters Office Mumbai had accorded sanction vide letter dated 03.01.2003 for compassionate appointment in favour of applicant in the light of Railway Board Circular dated 10.11.2000. The matter was again referred for sanction to the concerned office at Mumbai on 20-01-2003 (annexure A-17). Learned counsel further submitted that the case of applicant is still lying undecided at that level.

3. After hearing the counsel I find it appropriate that this case can be disposed of at the initial stage itself without calling counter affidavit by issuing direction to respondent no.2 i.e. Divisional Railway Manager, Jhansi to decide the representation filed by the applicant. Accordingly, the applicant is given liberty to file a fresh and detailed representation along with supported documents to the competent authority within 2 weeks from the date of receipt of a copy of this order and if the same is filed before the competent authority, it shall be decided within a period of 4 months from the date of receipt of such representation along with a copy of this order. No order as to costs.


Member (J)

/M.M./