

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

**OA No.343/2021
With
MA No. 341/2021**

Dated this the 2nd day of September, 2021.

**Coram : Hon'ble Shri Jayesh V.Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

1. Shri Kirtansinh K. Padwal
S/o. Kalyansinh Padwal
Aged 54 years
Retd. (Medically De-categorized for all
category) as SSE-INSP (R)- DHD
R/O.: Prakruti nagar, Govind Nagar,
Dahod-389151.
2. Shri Maheshkumar K. Padwal
S/o. Kirtansinh Padwal
Aged 27 years
R/O.: Prakruti nagar, Govind Nagar,
Dahod-389151.

....Applicants

(By Advocate : Ms. S S Chaturvedi)

Versus

1. Union of India
Notice to be served through,
General Manager,
Western Railway,
Churchgate, Mumbai-400 020.
2. Chief Works Manager,
Office of the Chief Works Manager,
Western Railway, Dahod-389 160

..... Respondents.

ORDER (ORAL)

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

1. In the present case, applicant No. 1 i.e., Kirtansinh K Padwal was declared medically de-categorised for all categories vide letter dated 29/02/2020 of the Railway Authority. He submitted an application for providing compassionate appointment to his son that is applicant No. 2 herein. It is contended by the applicant herein that with respect to application/representation of the applicant dated 24/06/2020 the respondent No.2 vide its letter dated 25/08/2020 (Annexure A/1) impugned herein, informed the applicant No. 1 that the competent authority had not accepted the request/ application for compassionate appointment. Advocate for the applicant, Ms. S S Chaturvedi submits that since the respondent No. 2 has not assigned any reason for not accepting the claim of applicant, a detailed appeal/representation has been submitted by the applicant on 01/03/2021 before respondent No. 1 i.e. General Manager, Western Railway. It is noticed that on receipt of the said letter dated 25/08/2020 the applicant had submitted his representation. The said representation is pending for consideration. Hence this OA.
2. It can be seen that the applicant has availed the alternative remedy by way of filing an appeal/representation dated 01/03/2021 which is stated to be pending for its consideration before the respondent No. 1. We do not find it appropriate to entertain this OA at this stage. It is

CAT, Ahmedabad Bench

expected that Respondent No.1 will take appropriate decision on the representation of the applicant in accordance with the scheme for compassionate appointment and the eligibility of applicant herein. In view of above, the OA stands disposed of at admission stage. MA No. 341/2021 for joint application stands allowed.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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