

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD.

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Dated: Allahabad, the 6th day of February, 2001

Coram: Hon'ble Mr. Justice Ashok Agarwal, Chairman

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

ORIGINAL APPLICATION No. 1323 OF 1993

Mohand Chand Nagele,
aged about 25 years,
son of Shri Babulal Nagele,
r/o House No. FB-I/98-4, Railway Colony,
Narrow Gauge Line, Gwalior.

..... Applicant

(By Advocate Sri R.K.Nigam)

Versus

1. Union of India through Ministry of Railways,
New Delhi.
2. General Manager, Central Railway,
Bombay VT.
3. Divisional Railway Manager,
Central Railway, Jhansi.
4. Chief Medical Superintendent,
Central Railway, Jhansi.

..... Respondents

(By Advocate Sri A.K. Gaur)

ORDER

(OPEN COURT)

(By Hon'ble Mr. S. Dayal, AM)

This application has been filed for a direction to the Respondents to issue appointment order in favour of the applicant in Class IV or in any other category within time-bound period on compassionate ground. *S*

2. The case of the applicant is that his father was working as Peon in the Medical Department

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in Railway Hospital in Gwalior. He was declared medically unfit for all classes on 27.7.82. He made an application after his medical de-categorisation for appointment to his son Prakash Chandra, who was at that time couple of years less than the age of majority. The candidature of Sri Prakash Chandra was rejected on that ground. It is contended that Sri Prakash Chandra had separated himself from the family and the de-categorised employee submitted an application in the prescribed proforma in favour of the applicant for appointment on compassionate ground on 20.7.88. It is stated that the Welfare Inspector conducted a detailed enquiry and found that all the sons of the deceased were living separately. The applicant mentions that his application for compassionate appointment was not considered and kept without any orders.

3. We find from the counter reply that the case of the applicant was turned down, because the applicant was the 10th child of Sri Babulal, whereas major sons of Babulal were eligible for appointment.

4. We have heard Sri Upendra Nath, brief holder for Sri R.K. Nigam for the applicant and Sri A.K. Gaur for the Respondents.

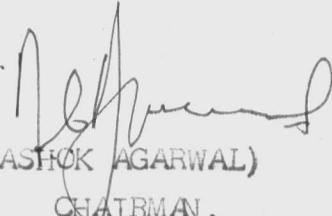
5. The applicant is seeking compassionate appointment through an application filed on 2.9.93, whereas his father was declared medically unfit and de-categorised for all classes on 27.7.82. The compassionate appointments are given to an indigent family to give immediate relief. The application made in 1993 is clearly not falling in the category for immediate relief. We also find that the applicant

was the 10th son and previously, applications were made for appointment of another son, which was not accepted.

6. In the facts and circumstances of the case, we find that the claim is not sustainable and the OA is, therefore, dismissed as lacking merit.

No order as to costs.


(S. DAYAL)
MEMBER (A)


(ASHOK AGARWAL)
CHAIRMAN.

Nath/