

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad: Dated this 25th day of April 2000.

Original Application NO. 1690/94.

CORAM:

Hon'ble Mr. S.K.I.NAQUI J.M.

Sudhari Devi w/o Late Sri Ram Nihore,
r/o village- Kodhaniya, Tehsil- Meja,
Dist- Allahabad.

(By Adv::Sri Anil Dwivedi/ Sri Satish Dwivedi

..... Applicant

Vs.

1. Union of India through the General Manager,
NNNNorthern Railways,

Baroda House, New Delhi.

2. Divisional Rail Manager,
Northern Railway, Allahabad.

(By Adv: S.C.Saxena)

..... Respondents.

ORDER (ORAL)

(Hon'ble Mr. S.K.I.NAQUI)

Smt. sudhari Devi widow of Late Sri Ram Nihore has come up with the prayer to direct the respondent to appoint her son Sri Shyam Sunder on any post in accordance with his qualification on the compassionate ground in place of his father Ram Nihore who has died in harness while in the service of respondante as Gangman against substantive vacancy with permanent status.

As per applicant case her husband Sri Ram Nihore died in harness on 10-12-1977 and in recognition of his services applicant is getting*****

family pension, At the time of death of Ram Nihore his only son Shyam Sunder was minor and on his attaining the age of majority applicant moved respondent for appointment of her son on compassionate ground but inspite of repeated requests through representations there was no favourable reply from the side of respondents except a visit by welfare Inspector, Allahabad who demanded certain clarification and document which were furnished by the applicant but of ~~none~~ avail, therefore, She was come up before the Tribunal for directions to the respondents.

3. The respondents have ^{contested} ~~considered~~ the case and filed the counter reply which is mainly based on the ground that the move on behalf of applicant was belated and beyond the limit of time prescribed for the purpose, It has also been mentioned that the referred representations have been wrongly addressed to the authorities who had nothing to do in the matter. There is also mention that the application of the applicant for compassionate appointment could not be entertained because there was no move within prescribed period of 6 months, after attaining the majority of her son Shri Shyam Sunder.

4. The applicant has submitted rejoinder to reply on the objection raised on behalf of respondents.

5. Heard Sri Anil Dwevedi for applicant and
~~Shri~~
 Shri D.C.Saxena for respondents.

6. Keeping in view the fact and circumstances of the matter and the position of a Pardhanasheen Widow who come to distress when she was having only one minor son as ^{← sole} male

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member in the family, it is a fit matter to ignore the delay on the part of applicant in ~~throwing moving~~ and for compassionate appointment to direct the respondents to consider the representation of the applicant in the light of ~~the applicant in the light of~~ direction and departmental rules in this regard.

7. It is therefore directed that in case the applicant Smt. Sudhari Devi or her son Shyam Sunder move a representation before the respondents within 4 weeks of this order, with complete requirement for the same, respondents shall pass appropriate reasoned detailed speaking order within 3 months thereafter and may provide compassionate appointment to Shri Shyam Sunder the son of deceased Shyam Nihore, If he is found fit and entitled under rules in this regard.

No order as to costs.

See or order
J.M

Madhu