

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NUMBER: 45/99

TUESDAY, THIS THE 22nd DAY OF APRIL, 2003

HON. MR. JUSTICE R.R.K.TRIJEDI, VICE CHAIRMAN

Smt. Jagpatti Devi,  
w/o Late Sri Amrit Lal Yadav,  
r/o Village Katnai (Ghisakapura), Post  
Office Kapsa, District Allahabad.

...Applicant

By Advocate:- Shri R.P.Singh

Versus

1. Union of India through General Manager  
Northern Railway Baroda House,  
New Delhi.

2. D.R.M. Northern Railway, Firojpur (Punjab)

3. Senior, D.P.O Northern Railway, Firojpur  
(Punjab).

4. Chief Inspector of works, Northern Railway  
Amritsar (Punjab).

...Respondents

By Advocate:-Shri A.K.Gaur

O R D E R

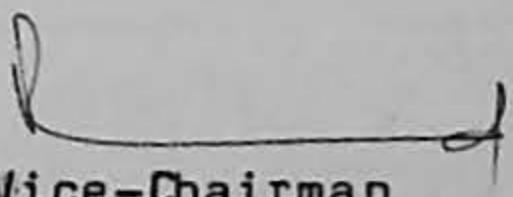
By this O.A. filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondents to appoint the applicant's son on compassionate ground. The applicant has also challenged the order dated 28.07.1998 (Annexure-I) by which the claim of the applicant for appointment of her son on compassionate ground has been rejected.

2. The facts of the case are that the husband of the applicant Shri Amrit Lal Yadav joined as Khalasi in Northern Railway. It is stated that he was regularised

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on 22.03.1983. It is further submitted that the husband of the applicant is missing for which she lodged report on 03.03.1998 with the Police Station Baharia, District-Allahabad.

3. Resisting the claim of the applicant, counter has been filed by the respondents. In para-10 whereof it has been stated that Shri Amrit Lal was removed from service on 04.09.1993 under an order passed by Assistant Engineer ASR. Whereas the F.I.R. regarding missing of Amrit Lal was lodged with the Police much <sup>after that</sup> ~~too late~~ i.e. on 17.03.1998. It is submitted that the Amrit Lal was already removed from service in 1993. There was no relationship <sup>as</sup> ~~between~~ employer and employee and applicant is not entitled for any relief as claimed. Her son cannot be appointed on compassionate ground. The order dated 28.07.1998 does not suffer from any illegality. The applicant is also not entitled for any Family Pension as her husband late Shri Amrit Lal was already removed from service. The O.A. has no merit and is accordingly dismissed. No order as to costs.

  
Vice-Chairman

shukla/-