

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 7th day of November, 2001.

Original Application No. 931 of 1999.

CORAM:-

Hon'ble Mr. SKI Naqvi, J.M.

1. Chakrapan son of Sri Mathura Prasad
  2. Ramroop Singh, son of Sri Chakrapan
- Both resident of Gram Patua,  
Post-Bachaipur, Distt-Auraiya/Etawah.

(Sri Anand Kumar/Sri CP Gupta, Advocates)

. . . . . Applicants

Versus

1. Union of India through General Manager,  
Northern Railway, D.R.M. Office, Baroda House,  
New Delhi.
2. Divisional Railway Manager,  
Northern Railway, D.R.M. Office,  
Allahabad
3. The Chairman, Railway Board,  
Rail Bhawan, New Delhi.

(Sri AK Pandey, Advocate)

. . . . . Respondent

ORDER (O\_r\_a\_1)

By Hon'ble Mr. SKI Naqvi, J.M.

Sri Chakrapan son of Sri Mathura Prasad and  
Sri Ramroop/<sup>Singh</sup>son of Sri Sri Chakrapan have come up  
seeking relief to the effect that the letter dated  
15-4-1998 (Annexure-A-1 to the OA) be quashed and the  
respondents be directed to appoint applicant no.2  
i.e. Sri RamroopSingh on compassionate ground.

2. Briefly stated the facts of the case are that  
Sri (Late) Kayam Singh son of applicant no.1 Sri Chakrapan



died in harness while he was working as Gateman at gate No.4, Kanchausi Railway Station and the family supported by him came to distress. On the death of the sole bread earner, Late Kayam Singh, on 22-5-1993, Sri Ramroop Singh brother of Late Kayam Singh moved for appointment on compassionate ground which was refused as per order dated 16-4-1998 impugned here as Annexure-A1- to the OA. Now he has come up seeking the relief as above.

3. The respondents have contested the case by filing counter reply with specific mention that Late Sri Kayam Singh died as bachelor. The father of the applicant Sri Chakrapan is availing and getting family pension and, therefore, the applicant does not come within the category of dependent of the deceased employee.

4. Heard Sri Amar Nath Ambast, briefholder of Sri Anand Kumar, counsel for the applicant and Sri AK Pandey, counsel for the respondents.

5. The main grievance of Sri Ambast is that while deciding the application of Sri Ramroop Singh for appointment on compassionate ground, the respondents did not take into account the provisions of the Railway Board letter dated 04-9-1996, copy of which has been annexed as Annexure-A-2 and als Master Circular No.16 by the Railway Board dated 5-8-1999 which has been filed with the Supplementary Affidavit as Annexure-SA-1.

6. I perused the above referred two circulars.

7. With the above position in view, the OA is decided as <sup>follows</sup> ~~under~~. The competent authority in the

*SR*

respondents establishment to reconsider the case and pass a detailed speaking reasoned order within three months from the date of communication of this order keeping in view the referred Railway Board Circular dated 04-9-1996 (Annexure-A-2 to the OA) and the Circular dated 05-8-1999 (Annexures-SA-1) with copy to the applicant. No costs."

  
Member (J)

Dube/