

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH,
ALLAHABAD

Dated: Allahabad this the 12 day of July 2000.

Coram: Hon'ble Mr. S.K.I. Naqvi, J.M.

Original Application No. 1186 of 1999

Chandan Singh

S/o Late Sri Kanhai Lal

R/o 711 B, Rani Laxmibai Nagar, Jhansi.

... Applicant

Counsel for the applicant = Sri M.P. Gupta
Sri S.K. Mishra

VERSUS

1. The Union of India through the General Manager,
Central Railway, C.S.T. Mumbai (Maharashtra)
2. The Divisional Railway Manager, Central Railway,
Divisional Office, Jhansi (U.P.)

... Respondents

Counsel for the respondents = Sri Amit Sthalekar

ORDER

(By Hon'ble Mr. S.K.I. Naqvi, J.M.)

Sri Chandan Singh, son of Late Sri Kanhai Lal has come up before the tribunal with the prayer that the respondent may be directed to consider his request dated 16.01.1999 for appointment on compassionate ground and also to quash the impugned order dated 07.12.1998 through which the prayer for compassionate appointment has been refused for having been moved beyond the prescribed time.

2. As per applicants case, his date of birth is 13.11.1978 and he ^{claimed} ~~attained~~ the age of majority on 12.11.1996. His father died in harness on 26.01.1992 and he moved for compassionate appointment firstly on 16.01.1999 and thereafter again on 19.12.1997 that is immediately after his having ^{claimed} ~~attained~~ the

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age of majority and therefore the impugned order (Annexure-1 is not in accordance with relevant facts, hence deserves to be quashed. The respondents have contested the case and filed counter reply with the mention that the grounds taken by applicant are misconceived.)

3. Heard the learned counsel for rival contesting parties and perused the record. In view of above admitted relevant dates the applicant has moved his application within prescribed time and the impugned order has been passed erroneously under ^{Reperc} some misconception and deserves to be quashed.

4. For the above the O.A. is allowed, impugned order is quashed and the respondent are directed to consider the request of the applicant dated 16.01.1997 and 19.12.1997, ^{have} the copy of which ^{has} been annexed as Annexure-3 to O.A. and Annexure CA-1 to the counter, respectively and pass reasoned speaking order within 8 weeks from the date of communication of this order by the applicant who ^{have} ~~are also~~ annexed the referred applications alongwith copy of this order.

5. No order as to cost.

S. C. Mehta
Member (J)

/T. Joshi/