

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 1st DAY OF FEBRUARY, 2001

Original Application No.1484 of 2000

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Smt.Sudami Devi,wife of Late  
Hardev Yadav, r/o village Karjaha  
Post Lar Road, district Deoria

... Applicant

(By Adv: Shri R.P.Yadav)

Versus

1. Union of India through  
Ministry of Railways, rail Bhawan  
New Delhi.
2. General Manager  
North Eastern Railway  
Gorakhpur.
3. Divisional Railway manager  
North Eastern Railway  
Varanasi.
4. Senior Divisional Railway Manager  
(Parichalan) North eastern Railway  
Varanasi.
5. Jit Bandhan Yadav, son of Ram Kishan  
R/o Village Karjaha Post Lar Road  
district Deoria, at present posted  
as Station Superintendent,  
Railway Station, Khurhat  
Deoria.

... Respondents

O R D E R(Oral)

(By Hon.Mr.Justice R.R.K.Trivedi,V.C.)

By this application u/s 19 of A.T.Act 1985 a direction has been claimed to respondent no.5 to give maintenance expenses to the applicant as it was being paid to her after getting appointment on compassionate ground.

The facts in short as stated in the application are that husband of applicant Late Hardev Yadav was serving in Railway as Lamp Man. He died on 20.6.1969 in harness. After his death respondent no.5 Jit Bandhan Yadav was appointed on compassionate ground on his assurance that he will maintain applicant. It is stated in the application that though

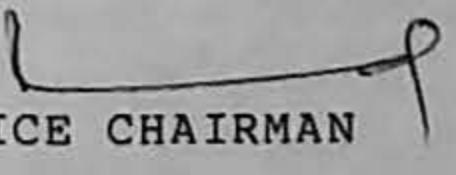
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respondent no.5 was giving amount for maintenance to the applicant, he has stopped so doing since 1994. In support of her claim applicant has filed the appointment letter dated 3.10.1969 and order dated 27.4.2000 passed by Divisional Railway manager making it a condition of the appointment that respondent no.5 shall maintain the applicant. It is also provided in the order that in case of any complaint applicant shall approach Divisional Railway Manager(Operating) Varanasi. It appears that the applicant approached respondent no.4 by making an application dated 28.9.2000. It is submitted that no action has been taken on this application by respondent no.4.

Considering the facts and circumstances to avoid further delay in the matter in my opinion it would be better to dispose of this application at this stage with the direction to respondent no.4 to decide the representation of the applicant by a reasoned order within a specified time after hearing respondent no.5.

The application is accordingly disposed of finally with the direction to the respondents no.4 to decide the representation of the applicant by a reasoned order within two months from the date a copy of this order is filed before him. Before passing the order he shall also give adequate opportunity of hearing to respondent no.5 Jit Bandhan Yadav. In order to avoid delay it shall be open to the applicant to file a copy of the representation alongwith the copy of this order.

There will be no order as to costs.

  
VICE CHAIRMAN

Dated: 1.2.2001

Uv/