

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 178 of 2000

Allahabad this the 06th day of July, 2001

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

Krishna Kumar, aged about '23' years, Son of Sri Ram Ratan, resident of 132, Schoolpura near Chhotey Khati Baba Ka Mandir, Prem Nagar, Jhansi.

Applicant

By Advocate Shri Atul Kr.Srivastava

Versus

1. Union of India through its Secretary, Ministry of Railway, New Delhi.
2. Secretary, Railway Board, Ministry of Railway, New Delhi.
3. General Manager, Central Railway, Bombay VT.
4. Divisional Railway Manager, Central Railway, Jhansi.

Respondents

By Advocates Shri A.K. Gaur  
Shri G.P. Agrawal

O\_R\_D\_E\_R ( Oral )

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

Shri Ram Ratan-Welder Grade I was medically decategorised and for subsistence of the family in distress, <sup>his son,</sup> the applicant Krishna Kumar moved for appointment on compassionate ground. His request has been turned down vide order dated 28.12.1998 (annexure -1)

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and 11.3.1999(annexure-2). Being aggrieved of these orders , the applicant Krishna Kumar has come up seeking relief to the effect that these orders (annexure-1 and 2) be quashed and respondents be directed to provide appointment on compassionate ground.

2. The respondents have contested the case and filed counter-reply with the simple mention that the competent authority considered the case of the applicant and rejected the same having found no force therein.

3. Perused the record and considered the facts and circumstances in the light of rules and law in this regard.

4. I find the impugned orders are very cryptic, without mentioning any reason or ground for which the prayer of the applicant has been rejected. It is settled position that to be considered for appointment on compassionate ground is statutory right of the person entitled to the benefit and thereafter if the benefit is refused, he is also entitled to know the grounds and reasons for which his prayer has been declined and, therefore, the impugned orders cannot be sustained, hence quashed accordingly.

5. The O.A. is allowed with the direction

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to the respondents to re-consider the case of the applicant for appointment on compassionate ground within four months from the date of communication of this order and in case the prayer of the applicant is not acceded, a detailed, reasoned and speaking order, with copy to the applicant, be passed. No cost.

*S. K. Singh*  
Member (J)

|M.M.|