

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 12TH DAY OF MARCH, 2003

Original Application No.949 of 2000

CORAM:

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

Vinay Kumar Singh, son of
Late Sri Raj Narain Singh
R/c village Kayampur, post Basudeopur
District Ghazipur.

.. Applicant

(By Adv: Shri A.K.Malviya)

Versus

1. The Union of India through its Secretary, Railway Department New Delhi.
2. The Accounts Officer, Eastern Railway Account Department Luluwah & Calcutta.
3. The Chief Works Manager, Eastern Railway Luluwah, Calcutta.

.. Respondents

A.V.Singh(W.A.)
(By Adv: Shri V.K.Pandey)

ORDER(Oral)

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

*Corrected vide
Rtdt dt 8/4/2003*

By this application u/s 19 of A.T.Act 1985, applicant has prayed for a direction to the respondents to appoint him on suitable post on compassionate ground. The claim of the applicant is that his father Raj Narain Singh was employed in Eastern Railway at Luluwah in accounts department. He died in harness on 25.1.1997. The widow of the Raj Narain Singh Smt. Radhika Devi made an application for giving appointment to the applicant and described him as her adopted son, in the application. The

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copy of the application has been filed as (Annexure CA1). The applicant, however, has claimed in this OA that he is natural son of Raj narain Singh and he is entitled for appointment on compassionate ground.

Shri A.V.Srivastava learned counsel for the respondents, on the other hand, submitted that respondents got an inquiry conducted about the status of the applicant and in the inquiry it was found that applicant is natural son of Sachitanand Singh but from childhood he lived with Raj Narain Singh who was shown as his father in Kutumb register and school certificate. In the end, it is also submitted that no formalities required for a valid adoption were undertaken by Raj Narain Singh. The copy of the report dated 28.7.1997 has been filed as (Annexure CA2). In the above facts, there is a dispute between the applicant and respondents about the status of applicant. Applicant claims to be ~~not~~ natural son, whereas respondent's case is that he only lived with Raj narain Singh and was ~~not~~ even adopted.

In these facts and circumstances if the applicant insists that he is natural son, he should obtain a declaration from the civil court about his status and thereafter he may make an application for appointment on compassionate ground.

Subject to aforesaid, this OA is disposed of finally.
no order as to costs.

VICE CHAIRMAN

Uv/