

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated: This the 16TH day of DECEMBER 2005.

Original Application No. 1639 of 2003.

Hon'ble Mr. K.B.S. Rajan, Member (J)

1. Km. Arti, D/o late Sri Ramesh,
R/o House No. 120 Loco North Colony, Jhopri,
KANPUR NAGAR.
2. Km. Manan, S/o late Sri Ramesh under
Guardianship of her sister Petitioner No. 1.
3. Master Dipak, S/o late Sri Ramesh under
Guardianship of her sister Petitioner No. 1.

(All are resident of House No. 120 Loco North
Colony, Jhopri, Kanpur Nagar.)

.....Applicants

By Adv: Sri R.M. Shukla

V E R S U S

1. Union of India through the General Manager,
Northern Railway (N.C.R.),
ALLAHABAD.
2. The Divisional Railway Manager, (D.R.M.),
Office of Northern Railway (NCR),
ALLAHABAD.
3. The Chief Health Inspector Northern Railway
(NCR), KANPUR NAGAR.

.....Respondents.

By Adv: Sri A.K. Pandey

O R D E R

By K.B.S. Rajan, JM

The case is short and simple. Father of the
applicants expired on 12.6.1998. Prior to his
demise he had filed an affidavit with the D.R.M. of
his wife having severed her relationship with him
and as such requested for deletion of his wife's

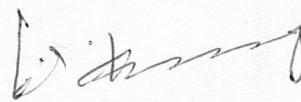
name from the list of nominees. The said deceased had 03 children and they have claimed the terminal dues.

2. The above is the admitted position vide para 7 of the CA. The respondents have also stated that payment of post retirement dues would be made to the bonafide claimants on their preferring proper claim. Para 8 of the CA refers. However the respondents contends that no compassionate appointment can be granted as applicants No. 2 and 3 are minors and on their behalf applicant No. 1 cannot be granted such relief.

3. Arguments heard. Applicant No. 1 is also the daughter of late Sri Ramesh and as such she cannot be denied the benefit of consideration of compassionate appointment. The respondents should therefore, process the claim of the applicants for payment of terminal benefits and also consider the compassionate appointment on an application being made by the applicant No. 1. Applicant No. 1 shall visit the Office of Divisional Personnel Officer, on any working day and seek his assistance in making the claims for terminal benefits and also submit application for compassionate appointment. The D.P.O. shall ensure due assistance in this regard and disburse the terminal benefits in accordance with law. In case, instead of applicant No. 1, compassionate appointment is sought for ^{by} any of the

other applicants after attaining majority, the same may be considered in accordance with law.

4. The OA is accordingly disposed of. No cost.



Member (J)

/pc/