

2

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 24<sup>th</sup> day of JULY, 2007.

HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN.

**ORIGINAL APPLICATION NO. 723 OF 2007**

Smt. Anjana Pal, a/a 31 years, W/o Gorey Lal Pal,  
R/o House No. 630, EWS, Single Story, Barra- II,  
Kanpur Nagar.

.....Applicant.

**VERSUS**

1. Union of India through General Manager,  
Ministry of Railways, Govt. of India, New Delhi.
2. General Manager, South Eastern Railways,  
Kolkata, West Bengal.
3. Divisional Railway Manager, South Eastern Railway,  
Bilaspur Division, Bilaspur, Chhattisgarh.
4. Station Master, Dalli Rajhara, Distt. Durg,  
Chhattisgarh.
5. Sri Badri Prasad, S/o Late Bachchu,  
R/o Village- Haripur, Post- Banarsi,  
Police Station- Lallauli, Distt. Fatehpur.

.....Respondents

Present for the Applicant:	Sri P.K. Dubey
Present for the Respondents :	Sri P.N. Rai

**ORDER**

The applicant Smt. Anjana Pal is admittedly widow of Late Gorey Lal Pal, who died on 18.12.2001 while working as Assistant Driver (Diesel Loco), Station Dalli Rajhera, distt. Durg, Chhattisgarh. It appears

*[Signature]*



that the applicant applied for appointment on compassionate grounds and when the authorities took no decision to her satisfaction, she filed O.A No. 1560/2002, which this Tribunal disposed of at the admission stage vide its order dated 27.01.2003 (Annexure- 1 to the O.A), directing the respondents to consider and dispose of her representation, and in compliance thereof , D.R.M (P), Raipur passed an order dated 02.06.2003 (Annexure- 2 to the O.A) saying that under the circumstances when she was facing a criminal charge of abetting suicide of her husband, her representation for employment assistance will be considered only after final exoneration of the charges framed against her. The applicant alleges that subsequently vide judgment and order dated 19.03.2005, she had been acquitted of the criminal charges by the Additional Sessions Judge, Kanpur Nagar in Trial No. 139/2003 (Annexure A- 3 to the O.A). It is alleged that on getting the verdict of acquittal , she represented on 28.03.2005 (Annexure- 4 to the O.A) for considering her request for compassionate appointment. She says that no speaking order has been passed by the authority concerned on this representation. However, she received one order dated 05.03.2007 (Annexure- 5 to the O.A), which appears to have been passed on her representation dated 03.04.2002. it shows that her request for compassionate appointment has not been considered. The grievance of the applicant is that inspite of assurance of the D.R.M given in earlier letter dated 02.06.2003 that the case would be considered after her acquittal in the criminal case, the same has not been considered even after acquittal.

2. When D.R.M said in his previous order dated 02.06.2003 that her case for compassionate appointment will be considered after exoneration



from criminal charges, in all fairness, the same should have been done on getting representation dated 28.03.2005 (Annexure- 4) and 26.03.2007 (Annexure- 6) bringing factum of acquittal (Annexure- 3). It has not been done. Proper course seems to be to dispose of O.A with suitable direction to respondent No. 3.

3. Accordingly the O.A is disposed of finally at admission stage with direction to respondent No. 3 to consider and dispose of the representation dated 28.03.2005 (Annexure- 4) and 26.03.2007 (Annexure- 6) in accordance with law and in the light of previous order dated 02.06.2003, by a reasoned and speaking order within a period of two months from the date a certified copy of this order together with copies of representation dated 28.03.2005 (Annexure- 4), 26.03.2007 (Annexure- 6) and copy of judgment and order dated 19.03.2005 (Annexure- 3) delivered by Additional Sessions Judge, Kanpur Nagar in Suit No. 139/2003 is produced before him. No order as to costs.

*dm.*  
24.7.07

(KHEM KARAN)  
VICE-CHAIRMAN

/Anand/