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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No. 941 of 2007

Monday, this the **24th** day of **September**, 2007

Hon'ble Mr. K.S. Menon, Member (A)

Ashok Kumar Pandey, aged about 43 years, S/o Late Brij Kishore Pandey, R/o Village & Post-Nari Pach Devara, District-Ghazipur.

Applicant

By Advocate Shri S.S. Sharma

Versus

1. Union of India through the General Manager, North Central Railway, Headquarters Office, Allahabad.
2. The Divisional Railway Manager, North Central Railway, D.R.M. Office, Allahabad.
3. The Manager, Employees Credit Co-operative Society Bank, North Central Railway, Allahabad.

Respondents

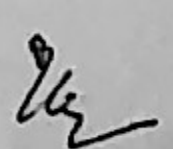
By Advocate Shri P.N. Rai

ORDER

By K.S. Menon, Member (A)

This O.A. has been filed against the impugned order dated 15.03.2007 issued by the Divisional Railway Manager, North Central Railway, Allahabad-respondent No.2 rejecting the case of the applicant for appointment on compassionate ground, which was to be considered in the light of this Tribunal's Order dated 05.07.2006 passed in O.A. 1361 of 2001 Sanjay Kumar Pandey and others Vs Union of India and others. Shri Sharma states that in compliance of this order, the respondents have passed a non speaking order, which is violative of Railway Board orders on the subject and against the spirit of this Court's Judgment.

2. The applicant's counsel also states that in pursuance of this C.A.T's Order dated 05.07.2006, the respondents vide their letter



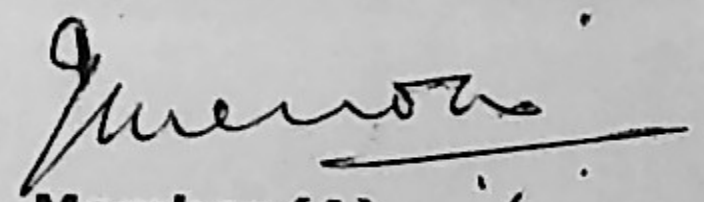
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dated 22.02.2007 informed the applicant regarding payment of retiral dues to the deceased employee. The applicant's grievance is that while outstanding amounts to be recovered have been listed but details of the same are not forthcoming.

3. It is seen that the applicant on receipt of total dues against them have not represented to the respondents seeking details of the amount so proposed to be deducted instead they have come to the Tribunal directly.

4. This Court is of the view that applicant vide paragraph No.8 of the O.A. has sought plural reliefs as retiral benefit of the deceased employee is totally different from consideration of compassionate appointment of the wards of the deceased employee. The applicant's counsel, however, argues against this contention. However, since this O.A. has been filed as a result of the Judgment of this Tribunal passed in O.A.1636 of 2001 on 05.07.2006, I am inclined to dispose of this O.A. at the admission stage with some directions. Accordingly this O.A. is disposed off with direction to the respondents to consider the case of the applicant for compassionate appointment by passing a reasoned and speaking order, which has not been done so in their order dated 15.03.2007. The respondents are also directed to ^{to furnish} ~~further~~ full details of the post retiral benefits due, if any, to the applicant make the payment accordingly within a period of 3 months from the date of receipt of a certified copy of this order. No order as to costs.


Member (A)

/M.M./