

DPP or general
(or)
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
NEW XXXX XXXX

O.A. No.
T.A.X. No.

131 of

198 1991

DATE OF DECISION 29.7.1991

Petitioner

Mr. Parimal Clement Mehta

Advocate for the Petitioner(s)

Mr. M. M. Xavier

Versus

Respondent

Union of India & Ors.

Advocate for the Respondent(s)

Mr. R. M. Vin

CORAM

The Hon'ble Mr. M. M. Singh

: Administrative Member

The Hon'ble Mr. R. C. Bhatt

: Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *yes*
2. To be referred to the Reporter or not? *no*
3. Whether their Lordships wish to see the fair copy of the Judgement? *no*
4. Whether it needs to be circulated to other Benches of the Tribunal? *no*

Mr. Parimal Clement Mehta,
S/O, Clement Denial Job
L.I.G. 235 Anandnagar,
BHAVNAGAR - 364 005.

: APPLICANT

(Advocate: Mr. M. M. Xavier, present)

VS.

1. The Union of India, through
The General Manager,
Western Railway,
Churchgate,
BOMBAY.
2. The Divisional Railway Manager,
Western Railway,
Bhavnagar Division,
Bhavanagar Para.

: RESPONDENTS

(Advocate: Mr. R. M. Vin, present)

CORAM : Hon'ble Mr. M.M. Singh

: Admin. Member

Hon'ble Mr. R.C. Bhatt

: Judicial Member

O R A L - O R D E R

O.A. No. 131 of 1991

Date : 29.7.1991.

Per : Hon'ble Mr. M.M. Singh

: Admin. Member

In this original application to begin with, the decision dated 17.11.1988 of the respondents, the Railway, was impugned on the subject of compassionate appointment of the applicant whose father was a Railway Employee and died while in service.

2. Later on, by proceedings dated 25.4.1991 of the Bench, it is clear that the applicant wants to try out his luck with the Railways regarding his younger brother's representation for employment on compassionate grounds and also to examine whether joint representation by two brother's would merit better consideration from the Railways. The case was adjourned to 18.6.1991. After these observations made

in the proceeding in which, it was also said that the respondents will in the meantime examine the case of the petitioner.

3. This application was filed on 13.11.1990. During ^{consistently} the pendency of the application and apparently ~~constantly~~ with the proceedings dated 25.4.1991, joint application dated 10.5.1991 by the two brothers has been submitted to the Divisional Railway Manager, Western Railway, Bhavnagar Division, Bhavnagar Para, the copy of which has been produced with M.A./181/91 and has been included as applicant's paper.

4. In view of the further correspondence between the applicant and the respondents after filing of the application and in accordance with the proceeding dated 25.4.1991 as above referred, and learned counsel Mr. Vin for the respondents ^{re} making a statement that, if ^{whole} of the application ~~or representation~~ and its enclosures are referred to the respondents for taking the decision, the application can be disposed of, subject to the applicant retaining liberty to file fresh application in case the decision of the respondents leaves any cause of action. Learned counsel Mr. Xavier for the applicant agrees with this.

5. In view of the above, we hereby direct that this original application and its enclosures ^{can} be forwarded to the Divisional Railway Manager, Western Railway, respondent No. 2 for decision within 3 months of receipt of papers by him. The application is finally disposed of.

Neeru

(R.C.BHATT)
Member (J)

H. M. S.

(M. M. SINGH)
Member (A)

Mr. Parimal Clement Mehta,
S/O, Clement Denial Job
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