

IN THE CENTRAL ADMINISTRATIVE TRIAUNAL  
AHMEDABAD BENCH

M.A. No. 33 of 1992  
IN O.A. No. 65 of 1992  
~~Ex No.~~

DATE OF DECISION 31.3.1992

Shri Vijaygauri L. Bhatt & Petitioner  
Shri Dinesh L. Bhatt

Shri B.B. Gogia Advocate for the Petitioner(s)

Versus

Union of India & Ors Respondent

Shri R.M. Vin Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C. Bhatt : Member (A)

The Hon'ble Mr. R. Venkatesan : Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? X
3. Whether their Lordships wish to see the fair copy of the Judgement ? X
4. Whether it needs to be circulated to other Benches of the Tribunal ? X

1. Smt. Vijaygauri L Bhatt  
Bheedbhajan Mandir,  
Supedi,  
Ta. Dhoraji,  
Dist. Rajkot.

2. Shri Dinesh L Bhatt,  
S/o late Shri L.R. Bhatt,  
Bheedbhajan Mandir,  
Supedi,  
Ta. Dhoraji,  
Dist. Rajkot.

: Applicant

(Advocate : Shri B.B.Gogia)

VS.

1. Union of India, through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay - 400 020.

2. The Joint Director,  
Establishment (D & A),  
Ministry of Railways,  
(Railway Board)  
New Delhi- 110 001.

3. The Divisional Railway Manager,  
Western Railway,  
Bhavanagar Division,  
Bhavnagar Para.

: Respondents

(Advocate : Shri R.M. Vin)

O R A L - O R D E R

M.A. No. 33 of 1992

IN

O.A. No. 65 of 1992

Date : 31.3.1992

Per : Hon'ble Shri R.C. Bhatt

: Member (J)

Heard learned advocate Mr. B.B.Gogia for the  
applicant and Mr. R.M. Vin for the respondents. This  
application is filed by the widow and son of late  
Shri L.R. Bhatt, praying that the order passed at

could not join duty and could not appear in medical test due to serious sickness from Tuberculosis and unfortunately he died thereafter. The applicant no. 2 thereafter requested the authority concerned to give him appointment, but his request is rejected. Learned advocate for the applicants submitted that having regard to the weak financial condition of the applicants, where even applicant no. 2 is not earning, the respondents may consider all the circumstances of the family, the educational qualification of applicant no.2 and then may give appointment to applicant no.2 on the post having regard to his educational qualification and rules applicable.

Mr. Vin, learned advocate for the respondents submitted that the deceased expired as back as in 1972 and after about 20 years the applicant no.2 wants appointment on compassionate ground and that he is almost about 30 years old. He however submitted that the respondents keeping in mind about the eligibility of applicant no.2, if at all, for appointment for any suitable post, would consider the case. In view of the above facts we find that there is some substance in the application to direct the res-

annexure A/9 dated 17.4.1989 and annexure A/10 dated  
14.6.1989 passed by the respondents. The applicants

have prayed that the respondents be directed to give  
suitable post commensurate with his educational qual-

fication. The first hurdle in the way of the applicants  
is about limitation. The applicants have filed M.A. No.

33 of 1992 for condonation of delay in filing this ori-

ginal application. Considering the fact that one Hitesh

Bhatt, the son of applicant no.1, who was given appoint-

ment died due to the disease of Tuberculosis and without

considering the averments made in the application, we

deem just and proper to condone the delay in filing the

application. Miscellaneous application is allowed.

Delay is condoned.

O.A.

2. This application can be disposed of at the

admission stage. Learned advocate Mr. B.B. Gogia sub-

mitted that the deceased Shri L.R. Bhatt died in harness

on 21st April 1972 leaving behind him applicant no.1

the widow, applicant no.2 the son, and one other son

Shri Hitesh Bhatt. It is alleged in the application that

Hitesh Bhatt was considered for appointment but he

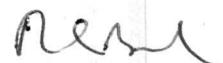
pondents to consider the question of applicant no.2 for appointment on compassionate ground as per rules.

Hence the following order :-

O R D E R

The application is partly allowed. The impugned order annexure A/9 and annexure A/10, are quashed and the respondents having authority to decide the question of appointment on compassionate ground may consider the question of appointment of applicant no.2 in any suitable post commensurate with his education qualification, financial condition and the relevant rules of appointment and age. The respondents to decide the question of appointment of applicant no.2 on compassionate ground within four months from the receipt of this judgement. The application is disposed of. No order as to costs.

  
(R. Venkatesan)  
Member (A)

  
(R.C. Bhatt)  
Member (J)

\*Ani.

Central Administrative Tribunal Ahmedabad Bench.

Application No. QA/65/82 of 199

Transfer Application No. \_\_\_\_\_ Old Writ Pet. No. \_\_\_\_\_

CERTIFICATE

Certified that no further action is required to be taken and the case is fit for consignment to the Record Room (Decided).

Dated: 4/6/92

Countersigned:

Section Officer/Court Officer.

  
Signature of the  
Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AT AHMEDABAD BENCH

## INDEX SHEET

CAUSE TITLE QA/GS/92 OF 198.  
NAMES OF THE PARTIES Smt. V. C. Bhatty ·  
VERSUS  
U. C. J. Gao.

**PART A B & C**

#### DESCRIPTION OF DOCUMENTS

.....

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Submitted:

C.A.T./JUDICIAL SECTION.

Original Petition No:

68

of

992

Miscellaneous Petition No:

of

Shri Smt. Vijaygauri L. Bhatt Petitioner(s)

Versus.

W.E.Z.205

Respondent(s).

This application has been submitted to the Tribunal by  
Shri P.B. Desai.

Under Section 19 of the Administrative Tribunal Act, 1985.

It has been scrutinised with reference to the points mentioned in the check list in the light of the provisions contained in the Administrative Tribunal Act, 1985 and Central Administrative Tribunals (Procedure) Rules, 1985.

The Applications has been found in order and may be given to concerned for fixation of date.

The application has not been found in order for the reasons indicated in the check list. The applicant/Advocate may be advised to rectify the same within 14 days/draft letter is placed below for signature.

ASSTT:

1 full size envelope not file supplied

S.O.(J):

16/1/92

D.R.(J):

16/1/92

KNP181191

to issue of leave

est

to on leave  
not in office  
29/1/92

Advocate concerned has removed office  
objection to date : one may file for adjourn  
11/2/92 11/2/92 11/2/92 11/2/92

## CENTRAL ADMINISTRATIVE TRIBUNAL

## AHMEDABAD BENCH

APPLICANT(S) Smt. Vijaygauri L. GhoshRESPONDENT(S) MoF Govt.

## PARTICULARS TO BE EXAMINED

ENDORSEMENT AS TO  
RESULT OF EXAMINATION.

1. Is the application competent ? Yes

2. (A) Is the application in the prescribed form ? Yes  
(B) Is the application in paper book form ? Yes  
(C) Have prescribed number complete sets of the application been filed ? Yes

3. Is the application in time ? Yes  
If not, by how many days is it beyond time ? Yes  
Has sufficient cause for not making the application in time stated ? Yes

4. Has the document of authorisation/Vakalat Nama been filed ? Yes

5. Is the application accompanied by D.D./I.P.C. for Rs.50/-? Number of D.D./I.P.C. to be recorded. DDo So. 81/12433

6. Has the copy/copies of the order(s) against which the application is made, been filed. ? Yes

7. (a) Have the copies of the documents relied upon by the applicant and mentioned in the application been filed. ? Yes  
(b) Have the documents referred to in (a) above duly attested and numbered accordingly ? Yes  
(c) Are the documents referred to in (a) above neatly typed in double space ? Yes

8. Has the index of documents has been filed and has the paging been done properly ? Yes

...2..

PARTICULARS TO BE EXAMINED.

ENDORSEMENT TO BE RESULT  
OF EXAMINATION.

9. Have the chronological details of representations made and the outcome of such representation been indicated in the application?

Yes

10. Is the matter raised in the application pending before any court of law or any other Bench of the Tribunal?

No

11. Are the application/duplicate copy/spare copies signed?

Yes

12. Are extra copies of the application with annexures filed?

Yes

(a) Identical with the Original.

(b) Defective.

(c) Wanting in Annexures

No. \_\_\_\_\_ Page Nos. \_\_\_\_\_ ?

(d) Distinctly Typed ?

13. Have full size envelopes bearing full address of the respondents been filed?

No

14. Are the given addressed, the registered addressed?

Yes

15. Do the names of the parties stated in the copies, tally with Name(s) those indicated in the application?

No

16. Are the transactions certified to be true or supported by an affidavit affirming that they are true?

No

17. Are the facts for the cases mentioned under item No.6 of the application?

Yes

(a) Concise ?

(b) Under Distinct heads ?

(c) Numbered consecutively ?

(d) Typed in double space on one side of the paper ?

18. Have the particulars for interim order prayed for, stated with reasons?

No

checked  
B. M. J.

OAst/49791  
dt. 26/12/91  
File No. 277433

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD  
ORIGINAL APPLICATION NO: 68/191

1) Smt. Vijaygauri L Bhatt  
2) Shri Dinesh L Bhatt  
Bheedbhajan Mandir, Supedi,  
Dhoraji Taluka, Rajkot Dist.

:: APPLICANTS

V/s  
two  
Union of India & ~~three~~ others

:: RESPONDENTS

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Rajkot/Ahmedabad  
Date: 19-12-91

For use in Tribunals office

Date of filing  
or  
Dt. of receipt by post  
Registration No.

Signature  
for Registrar

1. Bhatt L  
2. Bhatt L

7  
BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL

AIMEDABAD

ORIGINAL APPLICATION NO: *68/91/2*

1) Smt. Vijaygauri L Bhatt  
Widow of late Shri L. R. Bhatt  
who was working as Station Master  
at Jetalsar on Bhavnagar Division  
of Western Railway  
Address: Bheedbhajan Mandir,  
Supedi, Taluka Dhoraji  
District. Rajkot

2) Shri Dinesh L Bhatt,  
S/o late Shri L. R. Bhatt  
Bheedbhajan Mandir,  
Supedi, Taluka Dhoraji  
Dist. Rajkot

:: APPLICANTS

Versus

1) Union of India  
Owning & Representing  
Western Railway  
Through:  
General Manager,  
Western Railway,  
Churchgate,  
BOMBAY - 400 020

2) The Joint Director,  
Establishment (D&A),  
Ministry of Railways,  
(Railway Board),  
NEW DELHI - 110 001

3) The Divisional Railway Manager,  
Western Railway,  
Bhavnagar Division,  
BHAVNAGAR PARA

:: RESPONDENT S

DETAILS OF APPLICATION:

1. Particulars of the order against which the application is made

i) Order N o. : E(Rep)I-89AE 12-18/138

ii) Date : 14.6.1989

iii) Passed by : Joint Director, Estt(D&A),  
: Ministry of Railways,  
: (Railway Board),  
: New Delhi - 110 001

iv) Subject in brief : Not acceding to the request of  
: Applicant No.2 for employment  
: on compassionate grounds against  
: the death of his father late  
: Shri L. R. Bhatt

## 2) Jurisdiction of the Tribunal

The applicant declares that the subject matter of the order against which he wants redressal is within the jurisdiction of the Tribunal.

### 3. Limitation

The applicant further submits that there is some delay in filing this original application before this honourable tribunal and a separate Miscellaneous Application praying for condonation of delay is filed along with this original application.

#### 4. Facts of the case

The applicants respectfully beg to submit the facts of the case as under:-

i) Shri Laxmishankar B Bhatt was working as a Station Master with the Respondents at Jetalsar Junction Railway Station on Bhavnagar Division of Western Rail-way. He expired on 21.4.1972 while on service, leaving

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behind his wife, four un-fethered minor sons and two unmarried daughters, without any bread winner in the family. The applicant No.1, i.e. the widow of the deceased employee, after death of her husband, had applied for appointment on compassionate grounds in favour of her eldest son Shri Hitesh H. Bhatt on his attaining the age of majority. Shri Hitesh H. Bhatt was considered for appointment and was released with appointment order for the post of Khallasi. However he could not join the duties or he could not report to the authorities concerned for completing his pre-appointment formalities, due to his serious sickness as he was found to be suffering from Tuberculosis on diagnosis. He was under the treatment of K.J.Mehta T.B.Hospital, Amargadh. Not only that, but during the course of his sickness he lost his mental strength also, since he could not take up the employment offered to him due to the sickness. Due to these reasons he could not report to the authorities concerned on his appointment.

ii) In the circumstances, the applicants have been requesting for appointment in favour of the second son i.e. the Applicant No.2, on compassionate grounds from 1981 by various representations. The applicant No.2 is eligible to be offered with the post of Clerk considering his educational qualifications. The

VX

Applicant No.2 had submitted an application dated 29.10.1981 to the Respondent No.3, copy of the same is annexed herewith as Annexure A/1, requesting for compassionate appointment. The applicants also produces herewith copies of further applications filed before the Respondents on 8.6.82, 9.11.1983, 4.12.1986, 22.9.86, 6.10.1987, 30.12.1987, 21.12.1989

A/2  
to  
A/8

iii) The applicants received a reply from Respondent No.3 in terms of his letter dated 17.4.1989 advising that DRM had not considered his case and therefore nothing could be done in the case. A copy of letter dated 17.4.1989 from the Respondent No.3 is annexed herewith as Annexure A/9.

A/9

iv) In view of the above position given in para (iii) above, the applicants represented their grievances to an elected M.P. to assist them to by taking up their grievances at appropriate level and submitted an application through them. To this the applicant received a reply from Respondent No.2 in terms of his letter No.E(Rep)I-39AE 12-18/138 dated 14.6.1989, copy of which

A/10

is annexed herewith as Annexure A/10 informing the reasons that since the eldest son was considered for compassionate appointment as a Khallasi but did not turn up for medical examination and he did not submit any report about his inability to do so the case of the

applicant cannot be considered for a ppointment as per rules.

v) The applicants submit that the decision of Respondent No.3 conveyed vide Annexure A/9 and the Decision of Respondent No.2 conveyed vide Annexure A/10 are arbitrary and without a pplication of mind and illegal. The reasons given by Respondent No.2 in his letter date d 14.6.1989 - Annexure A/10 - are neither relevant nor supported by any rule framed on the subject by the Government. The applicants submit that it is true that the eldest son was considered for compassionate appointment as Khalasi and he could not ~~xxxx~~ turn up for medical examination since by that time he s tarte d suffering from severa ~~xxxxxx~~ disease - TB - and was admitted in TH Hospita l. Therefore physically he was unable t o accept the employment. The applicants submit that a man suffering from TB also cannot be expected to to the manual and hard work of Khalasi. It is also submitted that the eldest son Shri Hitesh subsequently expired on 26.11.1987 out of this dreaded disease. The certifi-  
A/11 date issued by Death & Birth Registration authority in this connection is annexed herewith as Annexure A/11.  
 The certificate of TB hospital certifying death of  
A/12 Shri Hitesh is annexed herewith as Annexure A/12.

The applicants also produce herewith the relevant clinical and other reports in support of their say that the eldest son Shri Hitesh was suffering from T.B. and was taking treatment ~~xxxxxx~~ from T.B. Hospital as Annexure A/13 cumulatively.

A/13 vi) The applicant submits that it is true that late S hri Hitesh, the eldest son was considered for compassionate appointment and posted under AEN JN D subject to his passing the medical test. A copy of such ~~xxxxxxxxxx~~ letter is annexed herewith as Annexure A/14.

A/14 vii) The present decision of the Respondents is too technical and arbitrary without considering the merits of the case. Actually the case of the applicants merited more sympathetic considerations, when the eldest son was suffering from TB requiring expensive treatment and diet. The applicants submit that the purpose of providing employment on compassionate grounds is to mitigate the hardships of the widow due to the death of the bread earner in the family. It is improper that the request of the applicant has been kept delayed for years on technical grounds that ~~xxxxxx~~ the first son was offered employment and did not join. The respondents were bound to consider the reasons advanced for eldest son's not joining the service.

viii) The applicants submit that the circumstances under which the eldest son Shri Hitesh could not join the services on the contrary give much force to the request of the applicants and merits more sympathetic consideration from respondents.

ix) The applicants rely upon for this on the decision of honourable Supreme Court of India in the case of Smt. Phoolwanthi V/s Union of India reported in 1991 LIC page 392, a copy of which is annexed herewith as Annexure A/15.

A/15

5. Details of the Grounds for relief with legal provisions

i) The decision of the respondents is contrary to the rules of the respondents and it is not supported by any rules framed by the Govt.

ii) The decision is arbitrary and illegal with the same is arrived at without any application of mind by the respondents.

6. Details of the remedies exhausted

The applicant declares that he has availed of all the remedies available to him under the relevant service rules etc.

7. Matters not previously filed or pending with any other court

The applicant further declares that he had not previously filed any application, writ petition or suit regarding the matter in respect of which this application has been made, before any court or any other authority or any other Bench of the Tribunal nor any such application, writ petition or suit is pending before any of them.

8. Reliefs sought

A) It may be declared that the decision of Respondents No.3 and 2 bearing ~~No.~~ dated 17.4.1989 produced at Annexure A/9 and dated 14.6.1984 Annexed at Annexure A/10 respectively are illegal, ineffective and may be quashed with directions to the respondents to take immediate steps for offering appointment to the 2nd son, i.e. Applicant No.2 in any suitable post commensurate with his educational qualification from the due date with all consequential benefits.

B) Any other better relief/s as deemed just and proper by the honourable Tribunal in view of the circumstances of the case may please be granted to the applicants.

C) The cost of the application may please be granted to the Applicants.

9. Interim order, if any prayed for

NIL

10. In the event of application being sent by registered post, it may be stated whether the applicant desires to have oral hearing at the admission stage and if so, he shall attach a self addressed post card or inland letter, at which intimation regarding the date of hearing could be sent to him.

NOT APPLICABLE

11. Particulars of Postal Order filed in respect of the application fee.

- 1) Number of Indian Postal Order(s) : 06 214433 8 of 214433
- 2) Name of issuing Post Office : Junction Post Office
- 3) Date of issue of Postal Order(s) : 18-12-1991
- 4) Post Office at which payable : C.A.T. Ahmedabad.

12. List of enclosures

1. Indian Postal orders as per para 11.
2. Documents relied upon from Annexure A/1 to A/15
3. Vakalathnama

VERIFICATION

I, Smt. Vijaygauri L Bhatt, wife of late Shri L. R. Bhatt aged about 67 years, working

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as: Unemployed at present and I, Shri D inesh L Bhatt, son of late S hri L. R. Bhatt, aged about 28 years occupation: unemployed at present resident s of Supedi Village, Taluka Dhoraji District Rajkot do hereby verify that the contents of paras 1 to 3 and 6 to 1 2 are true to my personal knowledge and paras 4 to 5 believed to be true on legal advice and that we have not suppressed any material fact.

Rajkot/Ahmedabad

Date: 19/12/91  
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APPENDIX B

2. Bhattal

Through:

B.B.Gogia

Advocate, Rajkot

Filed by Mr. B. B. Gogia  
Learned Advocate for Petitioners  
With second set & 4... copies  
copy served/not served to  
other side

Dt. 26/12/91 J. S. Jorawal  
By Registrar C.A.T.(J)  
A'bad Bench

All (S) From - Shri Dineshchandra L. Bhatt.

S/o. Late shri L.R.Bhatt,

(S.M.Jetalsar Junction.).

Bhindbhanjan Mahedev Temple,

Supedi. Now at SUPEDI (Rajkot)

D.

Dt. 29-10-1981

To,

The Divisional Supdt,  
Western Railway,  
BHAVNAGAR PARA.

Sub :- Application for any post in Railway on the  
ground of a family member of Rly. Servant  
While on Service.

Respected Sir,

Respectfully I beg to submit following few lines for Your kind and  
sympathetic consideration.

1. That my father Late Shri Laxmishanker Ranchhodlal Bhatt entered  
service as Traffic Signaller in erst while Saurashtra Railway in Gond-  
al state. Subsequently he was promoted as Station Master and devoted  
his duty as station Master till the very end of his life while in  
active service he expired as station master in Jetalsar Junction on 21-4-1972..

2. At the time of my father's demise there were some persons depen-  
dent on him wish 4 sons (excluding my self) and two daughters and my  
widow mother, Due ill luck would have it none amongst us were  
minors and my mother was not in a position to serve in Railway due to  
great shock of my father's death and as she had to take of children  
at home.

3. Now I become eligible to get the job like clerical as well as tec-  
hnical which ever offered me from your kinl honour. I have passed the  
New S.S.C. Examination, Gandhinagar in March-1981 at the first attom-  
pt with securing the 54.6.% marks. at present I am in XI Stand-  
ard (Commerce) at Supedi in the Smt. R.D.High scholl, Supedi, My dt.  
of birth is 1st July 1962. School leaving certificate and Mark Sheet  
for the said are attached here with. Moreover I am taking keen inter-  
est in volly-Ball, Cricket and khokho, for that I will be prodeced the  
testimobial wheb I will be prodeced the testimonial when I will be  
personally for volly-Ball and Khokho. I played at Taluka and District  
level tournament from Smt. R.D.G. High school, supedi. There is no so  
of except pension of Rs. 117/- of my Late Father, It is very diffi-

True Copy to manitain the establishment containing seven person in the har-

My days.

4, If I am favoured with a post, I shall discharge with full sincer-  
Advocate ity and satisfactory to my immediate supervisor with hard and intell-

egent work.

Thinking you in anticipation. Yours affec-  
tuated at supedi:- 9-11-1993 (P.L.Bhatt)

A/2

(2)

From... Shri Dinesh L. Bhatt,  
Add; Kesar Bhindbhanjan, Mahadav,  
Supedi. Vis-DHORAJI.  
Pin Gods- 360 440.

Dt. 8-6-1982.

To,

Divisional Personal Officer,  
Bhavnagar Para,  
BHAVNAGAR. 364 001.

Sub:- Application for any post in Railway on  
Compensate ground as class III or IV.

Respected Sir,

With due respect I the undersigned have to request for  
appointment on compensation ground.

My father expired on 21-4-1972. He was working as Station  
Master, Jetalsar Junction. Now we are getting pension of Rs. 150/-  
about. Seven dependents has to pull on with small pension.

At that time I was under age for service and my mother  
was not in position to serve, I did not apply. My date of birth is  
1-7-1962. I have passed New S.S.C. Examination in March-1981 With  
54.6 marks. Copy of school leaving certificate attached herewith.

I am ready for any job which may offer by you, because  
no means for maintainance.

Please earlist my name for appointment on compensation  
and help dependent of railway employee.

Thanking you in anticipation

Yours Fathfully,

Sd/-

Dt. 8-6-1982.

( D. L. Bhatt).

Supedi - 360 440.

True Copy

*prajw*  
Advocate

AB  
13

From.. Shri Dinesh L. Bhatt,  
Near Bhindbhanjan,  
supedi. Via- DHORAJI.  
Pin Code - 360 440.  
Dt. 9.11.1983.

To,

Divisional Personal Officer,  
Bhavnagar Para,  
BHAVANAGAR. 360 001.

sub :- Application for post in Railway  
on compoelionate ground as class  
III or IV.  
-----

Respected Sir,

With due respect I the undersinged have to requeat for  
supoinment on compensationate ground.

My father expiased on 21-4-1972. He was wprking as station  
Master, Jeralsar Junction. Now we are getting pension of Rs. 150/-  
about. Sevent dependents has to pull on with small pension.

At that I was under age for service and my mother was not  
in position to serve, I did, not apply. My date of birth is 1-7-1962  
I have passed new S. S. C. Examination in March-1981 with 54.6.%  
marks. Copy of schobl lieaving certificate attached herewith.

I am ready for any job which may offere by You, because  
no means for maintainance.

Please sarlist my name for appointment on compensationate  
and help dependent of railway employee.

Thanking you in anticipation.

Yours Fathfully.

Date :- 9-11-1983.

Sd/-

SUPEDI. 360 440.

( B. L. Bhatt )

True Copy

prajw

Advocate

AIH

14

From.. Shri Dinesh L. Bhatt  
Near Bhindbhbhanjan  
Mohadev.  
SUPEDI (360 440)  
Via, DHORAJI.

To,

Divisional Railway Manager,  
Bhavnagar Para,  
Pin Code - 360 001

Dt. 4-12-83.

Sub :- Application for any post in Railway on  
composionate ground as class IIIrd  
staff.

Respected Sirs,

With due respect I the undersigned have to request for  
appointment on componionate ground.

My father expired on 21-4-1972. He was working as station  
Master at Jetalsar Junction. Now we are getting and puwng on seven  
dependents on small penision of about Rs. 170/-.

At that time, I was underage for service and my mother was  
not in position to serve. My dage of hirth is 1-7-1962.

As regards my e ducational Qualification. I have posseed  
now Higher Secondary Certificate Examination in April 1983. With  
44% marks copy of the same and school leaving Certificate are atta-  
ched herewith.

Self is taking Leen interest. in sports whatever sports  
Certificates achved me during enducation period, are attched  
herewith.

I am ready for any job which may offers by your Kind hono-  
urs, because as means for maintainance.

Please enlist my name for appointment on compenaionate and  
help dependent of Railway Employes.

Thanking Your honours in anticipation,

Yours faithfully,

Ecl ; Certificates 16+(2) - 18 ,

Sd/-

Date 9-11-83.

( D. L. Bhatt )

Place ; Supedi,

True Copy

My Advocate

A/S

(15)

From... Dineshendra Laxmishenker Bhatt,  
5/0 Late Shri L.R.Bhatt  
ASM.JLR  
Noor Bhid Bhanjan Mahadev  
Post ; SUPEDI - 360 340  
Via - DHORAJI.

Date ; 20-9-1986

To ; The Divisional Railway Manager  
W.Rly. Bhavnagar Pare  
Bhavnagar.

Sub ; Request for appointment on compensationate ground.

Ref ; My applications dated 29.10.81 8.6.82, 9.11.83,  
25.6.84 & 5.11.84 and Your office No E 800/1 dtd.  
28.12.78 & E/800/1/78(23) Dt 6.1.79.

.....

With due respect and humble shbmision I the undersigned  
beg to request for the following few lines for favour of Kind and  
sympethetic consideration.

(1) My father late Shri L.R.Bhatt, ASM.JLR whe expired while  
in service on 21.4.1972, My Mother was met in position to accept the  
Job. We being four brothers and two sisters all below 12 Years.

(2) My eldest Hitesh was underage i.e. only 12 yearsef age,  
who on completion of 18years of ege had applied for the appointment  
on compeneationate ground and was ealled by the divisiongl office  
for Joining through the necessary procedure like medical exam, etc.  
But he could not present himself for the same due to his sickness  
(The medical certificate will be produced on demand),

(3) During his above ainkness he was diagnosed as a patient  
of Tuber Culesis and was under the treatment of K.J.Mehta T.B.Hop-  
ital Amargadh.

(4) Befare he is oured form T.B., he has lost otability of  
his mind and since them suffering from mental instability,

(5) I am trying for my appointment on compensiomate ground  
since 1981 but nothing has been heard so far.

My personal date is as under

1. Name ; Dineshendra L. Bhatt,
2. Date of birth ; 1.7.1962
3. Educational Qualifieation ; Studying in T.Y.B.A,
4. Kdditinal Qualification ; Participated in many games, cultural  
activities, sports and secured top rank original, or attasted eopies will  
be produced on demand.

It is therefore requested to kindly look in go the matter  
and atlest eall me for personal interview to show my above eertifi-  
cates and abiltiy to the serve th Railway administration.

Awaiting early favourable sconsideration.

Thanking You,

Yours Faithfully  
Sd/- (D.L.Bh)

True Copy

*copy*

Advocate

AG

(16)

Post Box No. 122, A. H.

To:- Vilayat Aliji, Mally,  
Near Bhadrajan Mandir,  
Supedi, (Gujrat).  
Dt. 22.9.1987.

To,

The Divisional Railway Manager,  
western railway,  
Ehavnagar Para.

X Dt. 6-10-87

Sub:- Request for appointment on compassionate grounds to  
second son.

Ref:- D.R.(a)-L.V. letter No. E.890/1/78(23) dated 6.1.79.

Respected Sir,

I, the undersigned widow of late Shri Laxmibhakar  
Shah, beg to lay the following few lines for your kind  
and sympathetic consideration, sir.

1. That, my husband was serving as station master at  
JLR who expired while in service on 21.4.75 leaving four  
sons and two unmarried daughters with me.

2. On being learnt that wards of deceased railway  
employees are to be given appointment on compassionate  
grounds in year 1978, and I applied in favour of my eldest  
son Shri Hitesh L. Shah who was called for such appointment  
on 5.1.78 in D.R.(a)-L.V. office vide letter No. E.890/1 dated  
28.12.78.

3. He was given an appointment letter in category of  
Khilashni under ASU/WD vide letter No. E.890/1/78(23) dated  
6.1.79.

4. On getting appointment letter my son in whose favour  
such appointment was given, became missing from home and  
he could not join the services offered. I could trace him  
after a period of about three years from 'Cir Jungle' in a  
very miserable condition having lost his memory power and  
power of recognition etc.

5. Since, then he is under going treatment of different  
doctors, Vedern and Lakhims etc. Now the stage is such that  
he is on death bed and surviving on mercy of GOD only.

6. I have spent all of my movable and immovable  
property behind his treatment along with the expenses on  
studies of other children and marriage of my two daughters.

7. Now out of four sons, being deceased railway servant  
second one is quite invalid for services next one has studied  
up to graduation (B.A.) and remaining two have studied upto  
below BSC, and all are unemployed, having no source of income  
with them to help the family.

At present I am managing with the source of funds  
available with me, ~~expenses~~ and from the salaries  
realised serving as cook with one of the rich family.

8. During the hard days when money crises are there it  
becomes very very difficult for me to manage for the whole  
family when I become 80 years of age.

9. Under the circumstances, I once again request your  
kindness with both hands folded to kindly arrange for a job  
under your kind control, to one of next three sons, since  
the appointment offered to eldest one was never accepted or  
joined by him on account of his unbalanced mind.

(A)

10. Hope that my genuine request will be given due consideration on humanitarian grounds and a job will be offered to any one of the following sons, of deceased My employee extending the favour of mercy on a widow like me having no source other than Railways Guardianship.

11. All the three sons after Shri Hitesh L Bhatt, who could not join the services offered are sincere and faithful to me and will lookafter my whole of the family in case if any one of them is given appointment based on my consent.

Their particulars are as under:-

1. Shri Brijesh L Bhatt, aged 25 years having B.C.B. 1.7.62 studied upto P.T. (Economics)

2. Shri Jeetendra L Bhatt, aged 23 years having B.C.B. 1-12-63 studied upto 8th.

3. Shri Sailesh L Bhatt, aged 20 years having B.C.B. 5-10-65 studied upto IX pass.

12. Further, it is to declare that they will accept job in any of the category, even in a category of class IV or 'D' staff without any claim in future also.

I, may hope that your kind honour will be convinced with my request and kind enough in getting my second son engaged in railway service extending the favour to a helpless widow like me.

For the act of kindness I shall be ever grateful to you and whole of my family will pray almighty for your long and prosperous life.

With kind regards,

You're faithfully,

राजनीति विजयनरी

( Vijaynra L Bhatt )  
( Widow of late Shri L Bhatt )  
S.M. - Jetalsar Jn. )

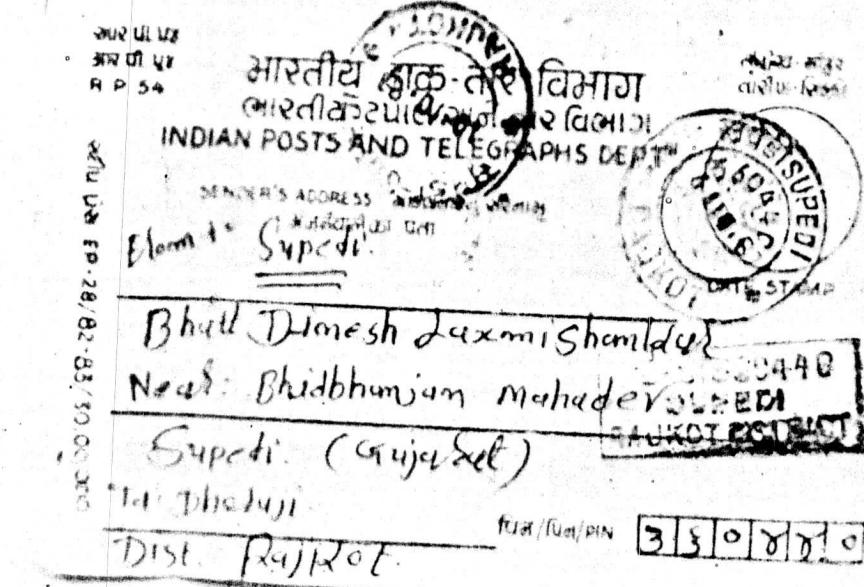
True Copy

मुर्या  
Advocate

(18)

## प्राप्ति सिफारिश (रक्षीद) ACKNOWLEDGEMENT उत्तर

• एक <del>प्रतिक्रिया</del> / पत्र / लेटर / पोस्ट कार्ड / पैकेट / पैकेट पर्सनल द्वारा	} दिनांक:
• RMS <del>प्रतिक्रिया</del> द्वारा दिलाई गई / विदेशी फैसला / under airmail/airmail.	
• RECEIVED A <del>REGISTERED</del> / LETTER / POSTCARD / PACKET / PARCEL प्राप्तिदाता का नाम प्राप्तिदाता का नाम	} दिनांक: <u>५/५/४७</u> NO. : <u>670-57</u>
ADRESSED TO (NAME) + विदेशी लूप लिखित + INSURED FOR RUPEES 50/-	
INSURED ARTICLES प्राप्तिदाता का नाम	To <u>BHAYNAGAR</u> <u>Divisional Railway Manager.</u>
DATE OF DELIVERY	Bhavnagar Park (DRM) प्राप्तिदाता का नाम विदेशी लूप लिखित प्राप्तिदाता का नाम प्राप्तिदाता का नाम
• अप्राप्तिदाता की तरफ दिलाई गई	प्राप्तिदाता का नाम लिखित (6)
• STORED OUT THE MATTER NOT REQUIRED	+ FOR INSURED ARTICLES ONLY
• अप्राप्तिदाता की तरफ दिलाई गई	+ BGRM का दाखिला दिलाई गई



Registered Add.

From:- Vijyagauri L Bhatt,  
Widow of late Shri L.R. Bhatt,  
Near Bhoodhanjan Mandir,  
Bupedi. (Gujarat) 360 440  
Dt. 20.12.1987.

(20)

To,  
The Divisional Railway Manager,  
western Railway,  
Bhavnagar para.

22.12.1987

Sub:- Request for appointment on compassionate grounds to second son.

Ref:- IS(E)-BVP letter No. E.890/1/78(23) dated 6.1.79.  
My applications dated 29.10.81, 8.6.82, 9.11.83, 25.6.84  
5.11.84, 20.9.85 and 6.10.87.

Respected Sir,

I, the undersigned widow of late Shri L.R. Bhatt, x 9M  
JLH beg to lay the following few lines for your kind and  
sympathetic consideration, sir.

1. That, while appointing my son Shri Bitesh L Bhatt, on  
compassionate grounds vide your letter quoted above a job  
was offered as khallaschi under A.I.N./JLF, where he could not  
join on account of his ill health and mental dislocation.

2. Since, then I was requesting your kind honour to  
kindly arrange to appoint my second son who is quite fit  
for services against appointment on compassionate grounds.

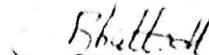
3. Neither a reply nor any consideration is yet made  
to help a poor lady like me, and now my son who was first  
offered appointment on compassionate grounds is also no  
more in the world, having been expired on 26.11.87 in T.B.  
Hospital Amrargarh.

4. Now, I once again approach your kind honour to kindly  
consider the case of my second son for appointment on  
compassionate grounds and help me in such a critical and  
hard days of my life.

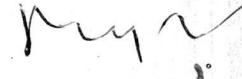
5. Necessary death certificate of my son who was  
offered an appointment on compassionate grounds is enclosed  
herewith for necessary perusal.

6. Hoping to be favoured at an early date.

Yours Faithfully,

  
( Jayagauri L Bhatt )

True Copy



Advocate

प्राप्ति विकास (रसीद) ACKNOWLEDGEMENT पुराणा

RECEIVED AT POST OFFICE REGD. AS PER RECORDED NAME EXRESSED TO (NAME)	POSTED INSURED	LETTER/POSTCARD/PAKET/parcel	TO: BHAVNAGAR D. R. M.
---	-------------------	------------------------------	---------------------------

1. *Robert and Jeanne* & 1. *Brooks and*  
1. *INSPIRED FOR RUSTIC* *glimmer.*

Expressed delivery  
Excluded areas  
DATE OF DELIVERY

- **प्राणी वाले कर दिया जाए**
- **SETTLE OUT THE MATTER JUST**
- **काली बाली वाले कर दिया जाए**

5148  
26-12

BHAVNAGAR PAR  
WESTERN RAILWAY

1. SIGNATURE OR ADDRESSEE  
2. LOCATION OF OFFICE  
3. DATE OF ISSUE  
4. FOR INFORMATION ONLY  
5. SIGNATURE OF OFFICER  
6. DATE OF EXPIRATION

22

मोर्टगेज  
प्रॉपर्टीज  
एप्स

गोरक्षीय डाक-तार विभाग  
गोरक्षीय टायल अने तार विभाग  
INDIAN POSTS AND TELEGRAPHS DEPT.

SENDER'S ADDRESS  
SUPEDI

Dineshchandar L. Bhatt  
Bhid Bhanjan Mahadev

Post - SUPEDI

Dist - Rajkot.

360440



True Copy

MR. S. K. Patel

Advocate

AB  
83  
Dhoraji / Supedi.

Dt. 21-12-1989.

From:- Dineshchandra L. Bhatt,  
Bhid Bhanjan Mahadeo,  
SUPEDI.  
Dist. Rajkot.

To :- The D. R. M.  
Bhavnagar para,  
Western Railway.

Sub:- Appointment on Compassionate ground.

Ref:- 1. My application dt. 20-12-1987.

2. E/Rep./1-89 AE-12 -/8/138

Rail Mantraleya, Delhi Dt. 14-6-1989.

3. Your No. E/890/8/12/84 dt. 17-4-89.

-----  
Respected Sir,

With the reference to the above I beg to state your honour :-

- 1) That I am son of Late Shree Laxmishanker R. Bhatt ASM / JLR, who expired on 21-4-1972 at Jetalsar Jn.
2. That my elder brother Shri Hitesh L. Bhatt was appointed in Rly. vide your No. E/890/1/78(23) of 6-1-1978 as Khalasi under AEN/Jetalsar.
- (3) That my elder brother subsequently was suffering with T.B. and could not join service and after long sickness he expired on 26-11-87 at Shree K.J. Mehta, T.B.Hospital, Amargadh 364 210 (Guj.)
4. That I applied for job after his expiry as none is employed in my family on compassionate ground.
5. That, due to unawareness, I could not inform to Railway administration of expiry of my brother.

(24)

- 2 -

6. That on this ground my application for appointment has been not considered, that I have not informed the expiry of my brother.

7. That, I beg to state that I am the 2nd Son, waiting appointment on compassionate ground in Railway, to feed my family with bread and to maintain status.

I, therefore, request your honour to kindly issue sympathetic order of my appointment in Railway to serve my family with bread, and save me from a unemployment.

I shall try my best to keep satisfy my superiors and officers with my good and efficient work.

I hope and sympathetic consideration.

Thanks,

Yours faithfully,

Bhatt D.L.

( Dineshchandra L. Bhatt )

Encl:- 3.

True Copy

Advocate

Al9

25

Western Railway

No. E/890/8/12/84.

DRM&s Office,  
Bhavnagar Para.

Dt. 17.4.89

To,

Shri Dinesh.L.Bhatt  
S/o Late L.R.Bhatt  
Near Bhid Bhanjan Mahadev,  
Post : Supedi ; 360 340  
Via ; Dhoraji.

Sub :- Employment on compassionate ground ;  
Ref :- Your application dtd. 7.3.89.

....

with reference to your application cited above, it is advised that DRM has not considered your case. In view of this nothing can done in your for employment on compessionate fround.

Sd/-  
for DRM (E)BVP.

True Copy

Advocate

A/10  
18 20

भारत सरकार GOVERNMENT OF INDIA  
रेल मंत्रालय MINISTRY OF RAILWAYS  
(रेलवे बोर्ड Railway Board)

No. E (Rep) I-89AE 12-18/138

16-6-1989

नई दिल्ली-110001, दिल्ली  
New Delhi-110001, dated

19

Smt. Vijaygauri L. Bhatt,  
A/o Late L.R. Bhatt,  
Near Bheebhajan Mandir,  
SUPCOI (GUJARAT) 360 140.

With reference to your application dated 20-12-87 addressed to Divisional Railway Manager, Bhavnagar and forwarded to Hon'ble Minister of State for Railways by Smt. Ramaben R. Nayani, MP, you are advised that your eldest son was considered for compassionate appointment as Khalasi but he did not turn up for medical examination. He did not submit any representation about his inability to do so. It is regretted that your second son cannot be considered for appointment as per rules.

*Std.*

( O.P. SUD )

Joint Director, Estt. (E&A)  
Railway Board.

DA: Nil.

True Copy

*PMW*  
Advocate

ALU

ના. ફોન્ના. ના. (૧૦૨) ૨૦૨-૬૦૦૦૦-૦-૦૨



## મરણું પ્રમાણુપત્ર

(જીવ અને જીવ નોંધની અધિકારી, ૧૯૮૮ની પાય ૧૫/૧૦ કુલ)

ગુજરાત સરકાર

બાદેર આરોગ્ય ખાતું નંબર ૧૦

આધી પ્રમાણુપત્ર આપણામાં આવે છે કે નીચેની માહિતી મરણના મૂળ રૂક્ષમાંથી દેવામાં આવી છે જે ગુજરાત રાજ્યના રૂક્ષાનું નિયમાનું નીરીએ વાલુડાના સુયોજી આપ્યું હોય અને રજીસ્ટ્રેટ કરવામાં છે.

૧. નામ :- લલિતામંડ	૨. વર્તિ :- (૫/૩૧) ૩
૩. મરણની તારીખ :- ૨૯/૧૧/૮૯	૪. નોંધથી ક્રમાંક :- ૨૬
૫. મરણું રૂપ :- સુયોજી	૬. નોંધથીની તારીખ :- ૨૭/૧૧/૮૯
૭. પિતાનું નામ :- ૯/૮૮/૨૫૭	૮. માત્રાનું નામ :- -
૯. પતિનું નામ :-	૧૦. મરણાર્થ સરનામું :- ૨૭/૮૮/૧૫૧૨ ૨૩૦૫

નોંધ - મરણના ઘઘણામાં મરણના કારણ સંબંધી રજિસ્ટરમાં હાજર અર્થ પ્રમાણું વિગત બાદેરમાં પ્રગત કરી રહાયે છુટી. [દિનમ-૧૭ (૧) વ]

તારીખ : ૨૭/૧૧/૮૯

શરીર આપનાર સત્તાધિકારીની True Copy  
સાડી.

Advocate

A/12

28

Mr. J. M. Mehta T.B. Hospital, Amargadh - 364210 (Gujarat)

D/THI/069

Date : 26/11/2011

DEATH CERTIFICATE

Serial No. 70486

Admitted on 16/11/2011

This is to certify that Mr/Mrs/Miss Hitesh Laxminarayan was undergoing treatment in this Hospital for Pulmonary Tuberculosis and he/she died here in the Hospital on 26/11/2011 at 56-15 a.m./p.m. His/Her dead body is being taken to his/her home for final rites.

Medical Officer

Ward No. III Bed No. 45

Cottage No. \_\_\_\_\_

D. Chandra

Medical Superintendent,  
K.J. Mehta T.B. Hospital.  
AMARGADH - 364210.

True Copy

Praveen

Advocate

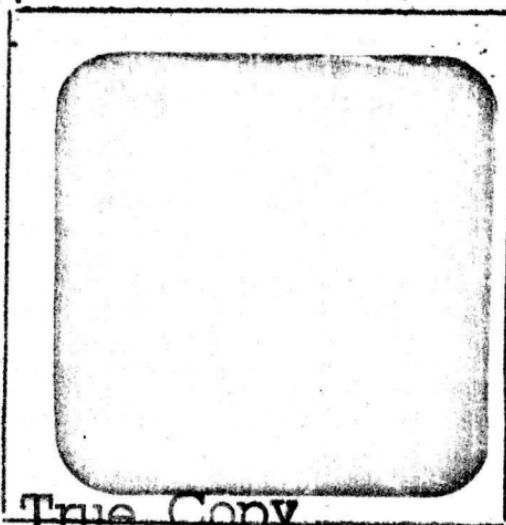
A/13

A/13

(29)

(entirely)

K. J. M. T. B. HOSPITAL AMARGADH.



True Copy

*[Signature]*

Advocate

*Shital Patel*

Address *20-23-33*

Occupation

O.P.D. / Ward *13*

Age *17* Sex *M* Date

Report-See Over

*[Signature]*  
*આર્યા*

શ્રી કે. ટે. અધ્યક્ષ  
કંયા વિધાનસ

Krishna 100-1-83

## Shree K. J. Mehta T. B. Hospital, Amargadh

## CLINICAL LABORATORY REPORT

Register No 13 Date 20-8-83Name of the patient Hitesh Laxmi Shankar

1. Sputum Smear test : Spot/Overnight collection : AFB Not Found  
 2. Blood :

	Normal		Laboratory Findings
	Male	Female	
(a) Haemoglobin G/100 ml. ....	14.41-16.32	11.89-14.10	<u>86 %</u>
(d) Erythrocytes count per c.m.m. ....	4.73-5.49 Millions	4.14-4.79	
(c) Leucocytes per c. m. m. ....	5,000-1,0000		<u>10,000 /y</u>
(d) Schilling count : (on 200 Leucocytes) ....	1 Jung kerg. ....	0-5%	<u>00 %</u>
	2 Stab kerg. ....	5-15%	<u>25 %</u>
	3 Seg kerg ....	35-40%	<u>45 %</u>
	4 Eosinophils ....	2-4%	<u>05 %</u>
	5 Basophils ....	0-05%	<u>00 %</u>
	6 Lymphocytes ....	35-40%	<u>23 %</u>
	7 Monocytes ....	2-6%	<u>00 %</u>

3. Malarial parasites : Not found

<u>Abnormal Erythrocytes</u> :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Abnormal Leucocytes</u> :	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Weight in Kg. : 375. Urine Examination for :AlbuminSugarNo Specimen

Examined by

Laboratory Incharge

R. J.

અધ્યક્ષ,  
 ડૉ. ર. જ. માંત્ર,  
 સુરત રાજ્ય હાસ્પિટ.

31

Jay Bharat Pad-300 6-83

**Khushaldas J. Mehta T. B. Hospital**AMARGADH Pin-364210 Via Songadh (Saurashtra)  
(Dt. Bhavnagar)

Gram : TBHOSPITAL

: Railway Station :

Phone : SONGADH-57 &amp; 27



SONGADH (Western Railway)

**OUTPATIENT DEPARTMENT  
REPORT**

No. 13.

Check up No. —

O. P. D. Register No. 1726

Date 26 AUG 1983

Name 57-191 GL-3172172

Age 23 Sex M

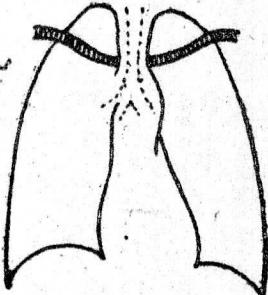
Address 2117

Dist. 270

Occupation

Clinical Findings :

Bilateral Liver case.  
Lesion will contain



Skiagram Reports : 43

Sputum for AFB Neg

Urine Exam. for:

Alb

No Specimen

Weight : 37

Kg. Hb%

Sugar

86

Diagnosis : Puh-TB

Advice :

Admire 200

Or Merkstrep. in form of 150 mg. 3 times a day.

150 mg. 3 times a day.

Aglutin. 1:1000 2 times a day.

Reformed. 1:1000 2 times a day.

B. Neuraphos. 1:1000 2 times a day.

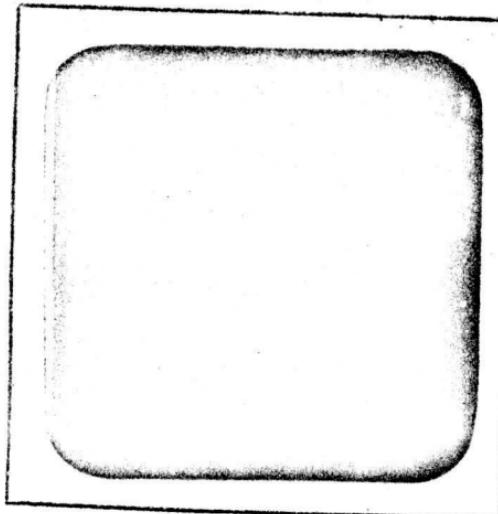
100 mg.  
2 times a day

Ph. /  
યાચારી

Medical Superintendent  
K. J. MEHTA T. B. HOSPITAL

સૂચના : - હોસ્પિટાના સમયે કાંપણી અને રિપોર્ટોર્યુન્સ માટે શરૂ રોધી  
કૃત્યા વિધાનન્ય - મુજબ

(38)



K. J. M. T. B. HOSPITAL AMARGADH.

Hitesh haxmishankar

Address

21-10-83

Occupation

O.P.D. / Ward

73

Age

Sex

Date

Report-See Over

16



શ્રી કે. જી. માટેની  
કન્યા વિધાલાય - અસ્સી

Krishna 10-1-83

33

## Shree K. J. Mehta T. B. Hospital, Amargadh

## CLINICAL LABORATORY REPORT

Register No. 73Date 21.10.83

Name of the patient. \_\_\_\_\_

1. Sputum : Smear test : Spot/Overnight collection : AB P&L2. Blood :

	Male	Normal	Female	Laboratory Findings
(a) Haemoglobin G/100 ml. ... ...	14.41-16.32	11.89-14.10		120
(b) Erythrocytes count per c.m.m. ...	4.73-5.49	4.14-4.79		1200
(c) Leucocytes per c. m. m. ... ...		5,000-10000		12000
(d) Schilling count ( on 200 Leucocytes ) ... ...				
1 Jung kerg. ... ... ... ...		0-5%		5%
2 Stab kerg. ... ... ... ...		5-15%		15%
3 Seg kerg. ... ... ... ...		35-40%		43%
4 Eosinophils ... ... ... ...		2-4%		4%
5 Basophils ... ... ... ...		0-05%		0.5%
6 Lymphocytes ... ... ... ...		35-40%		32%
7 Monocytes ... ... ... ...		2-6%		4%

3. Malarial parasites : not foundAbnormal Erythrocytes :    Abnormal Leucocytes :    4. Weight in Kg. : 47.55. Urine Examination for :

Albumin

Sugar

Examined by

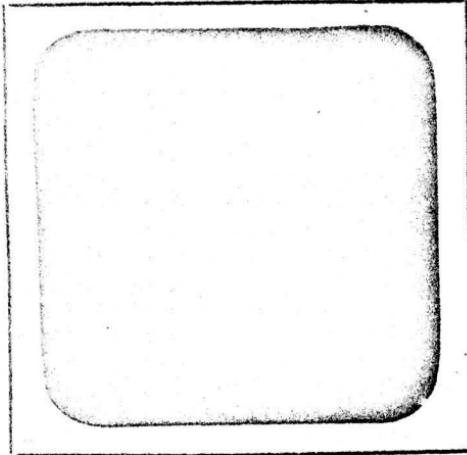
Laboratory Incharge

*R. Mehta*  
 રમેશ મેહા  
 શ્રી ડૉ. ક. જ. મેહા  
 શ્રીમતી માલતી - ૪૭૧



35

**K. J. M. T. B. HOSPITAL AMARGADH.**



*Hitesh Janmishankar*

Address

29-12-84

Occupation

O. P. D. / Ward 11

Age 17 Sex Date

Report-See Over

15

*Phani*  
*20 दि. 6. श्रावण*

20 दि. 6. श्रावण - 84

**Shree K. J. Mehta T. B. Hospital, Amargadh**  
**CLINICAL LABORATORY REPORT**

Register No. 14Date 29/12/64Name of the patient. Hitesh Laxminishankar1. Sputum : Smear test : Spot/Overnight collection : NO AFB seen2. Blood :

	Normal		Laboratory Findings
	Male	Female	
(a) Haemoglobin G/100 ml. ... ...	14.41-16.32	11.89-14.10	8.71
(b) Erythrocytes count per c.m.m ...	Millions 4.73-5.49	4.14-4.79	
(c) Leucocytes per c. m. m. .... ...	5,000-10000		9100/mm
(d) Schilling count (on 200 Leucocytes) ... ...			
1 Jung kerg. ... ... ...	0-5%		0.0 - 0%
2 Stab kerg. ... ... ...	5-15%		18 - 6%
3 Seg kerg. ... ... ...	35-40%		61 - 0%
4 Eosinophils ... ... ...	2-4%		0.2 - 0%
5 Basophils ... ... ...	0-05%		0.0 - 0%
6 Lymphocytes ... ... ...	35-40%		36.0 - 0%
7 Monocytes ... ... ...	2-6%		0.2 - 0%

3. Malarial parasites : NOT detectedAbnormal Erythrocytes :

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Abnormal Leucocytes :

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Weight in Kg. 47.5

5. Urine Examination for :

Albumin 14.59Sugar 16.5Examined by 1/12/64Print

આચાર્ય,  
 શ્રી કૃ. ક. ગોવાડી : Laboratory Incharge  
 ગુજરાત વિદ્યાલય - કુલ્લુ

3X  
Krishna Pad-350-6-84

# Khushaldas J. Mehta T. B. Hospital

AMARGADH Pin-364 210 Via Songadh (Saurashtra)  
(Dt. Bhavnagar)

Gram : TBHOSPITAL

: Railway Station :

Phone : SONGADH-57 & 27

SONGADH (Western Railway)



## OUTPATIENT DEPARTMENT REPORT

No. 141

Check up No. 11

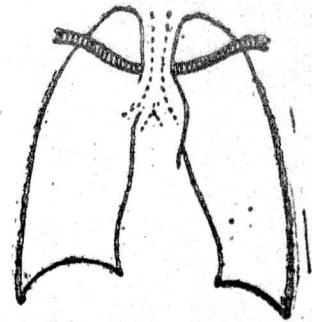
Date 29 DEC 1984

O. P. D. Register No. 2506

Name 5/5/91 6/5/21/2 Age 20 Sex M

Address 2/1/1 Dist 2108 Occupation 1971

Clinical Findings :



Skiagram Reports :

Laboratory Reports :

Sputum for AFB Neg Urine Exam. for Alb

Weight : 47.5 Kg. Hb% 82 Sugar Neg

Diagnosis : Tuberculosis

Advice :

Routine ex.

Sputum - 21/12. 211  
Koxi. ex - 21/12. 211  
Chew. ex - 21/12. 211  
24/12/91

Medical Superintendent  
K. J. MEHTA T. B. HOSPITAL

સૂચના : - ઈરી તપાસના સમયે હર્દીએ આ રિપોર્ટ અવસ્થા સાથે લાવશે.

કુલ વિધાન

21/1/1988

Deson (12) 2 2 22. Desogn (8) 2 2 2

3. Soft Computer

(12+2) 2 2

2. Metragyle 2 2

(12) 4000

Phone : O. 480 R. 678

અરકાર માન્ય દ્વારો મેળવવાનું વિદ્યાસપાત્ર સ્થળ

આનંદ મેડિકલ સ્ટોર્સ

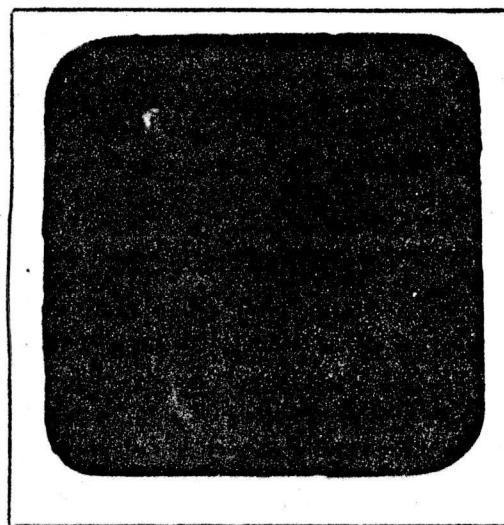
સાઢો અલાર આમે, રદ્દેશ રોડ, ધોરાણ.

(ફ્યારની દ્વારા ડોક્ટરને બતાવીને જ પાવો)

pupar

Phone  
આનંદશી. ને. હ. જોવાણી  
કન્યા વિદ્યાલય - સુપેરી.

39



K. J. M. T. B. HOSPITAL AMARGADH.

Hitesh Larmishankar

Address

2117167

Occupation

O. P. D. / Ward

17

Age

Sex

7

Date

Report See Over

16

mta

# Khushaldas J. Mehta T. B. Hospital

AMARGADH, Pin-364210 - Via Songadh (Saurashtra)  
(Dt. Bhavnagar)

Gram - TBHOSPITAL



: Railway Station :

Phone : SONGADH-57 & 27

SONGADH (Western Railway)

## OUTPATIENT DEPARTMENT REPORT

No. 17

Check up No. 51

O.P. D. Register No. 2536

Date 24 JUL 1987

Name 12121

1130112112

Age 25

Address 2116

Dist 2 (0)

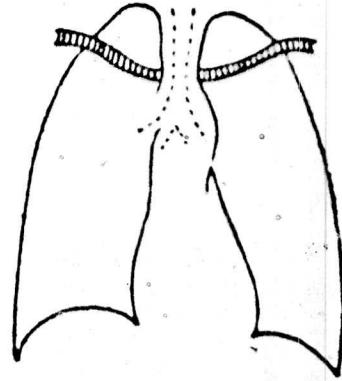
Sex M

Occupation

Clinical Findings :

he. abd.  
Sear. lep  
etc

MR. 123-81



Laboratory Report :

Sputum for AFB ~~not found~~ Urine Exam. for

{ Alb ++ +  
Sugar N/N

Weight : 47 Kg. Hb% 86

Diagnosis : Ob. he.

Advice :

Ref. to  
ENI Specular  
True Copy  
pm  
Advocate

Medical Superintendent  
K. J. MEHTA T. B. HOSPITAL

સૂચના : - દરી વધાસના સમયે હર્દિએ આ રિપોર્ટ અનુસ્ય આથે વાપવો.

AIH

W1

PAO

Western Railway.

No. E.89011/78 (23)

Divisional Office,  
Bhavnagar,  
Dt. 6.1.79

Hitesh  
To Shri Sharad L. Bhatia Sfo late  
Shri S. R. Bhatia SM.IR  
% SM - IR

Sub:- Employment of dependent relatives  
of Rly. employees.  
Ref:- Your application dt. \_\_\_\_\_

Your case has been considered by  
the competent authority. Regarding your request for appointment,  
it is advised that this has been considered for appointment  
against existing/past vacancies/as substitute under AEN.JND  
Dr. Khela subject to passing the medical test.

You should immediately report to AEN.JND

U.S.  
for DS(B) BVP.

C/- AEN.JND

He should advise the date of resumption of  
the applicant.

C/- H.C. E.E. for information. Sofa

True Copy

my

Advocate

Krishanaji Dattatraya Bapat, AIR 1970 SC 1. It was a case under the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (for short, the Act). The High Court dismissed the revision filed under the Act. Thereafter, a writ petition was filed under Article 226/227 of the Constitution. Revision petition before the High Court was against the order of the appellate authority under that Act. The apex Court held that the order of the Appellate Authority merged in the order of the High Court in revision as the latter was an order by a superior Court and as such one had to deal with the order of the High Court. As such, before the High Court the writ petition was directed against the very same order which was passed by the High Court in revision under Section 115 of the Civil Procedure Code. It was observed that the order of the Appellate Court became merged with the order of the High Court in revision and, therefore, the appellate order could not be challenged by another set of proceedings in the High Court under Articles 226 and 227 of the Constitution. The apex Court further observed that the principle of merger of orders of inferior Courts in those of superior Courts would not be affected or would not become inapplicable by making a distinction between a petition for revision or an appeal.

17. The decision of the High Court having merged with the decision of the apex Court, the latter decision attained finality under Article 141 of the Constitution and is binding on all Courts within the territory of India. Since the apex Court has finally settled the matter that the persons whose names are borne on the joint seniority list and they belonged to one cadre, they cannot be treated differently in the matter of pay and other emoluments. The decision rendered in Civil Writ No. 2356 of 1973 is no more good law in view of the apex Court's decision in SLP (Civil) No. 2201 of 1985.

Thus for the reasons recorded, both the writ petitions are allowed and the respondent is directed to allow the same pay scale of Rs. 700-1100 to the petitioner from the date the persons junior to them were granted that pay scale within two months from the date of

receipt of copy of this judgment, failing which the respondent will be liable to pay arrears along with interest at the rate of 12 per cent per annum. In the circumstances of the case, I make no order as to costs.

Petitions allowed.

### 1991 LAB. I. C. 392

(SUPREME COURT)

B. C. RAY, K. JAGANNATHA SHETTY  
AND L. S. VERMA, JJ.

Civil Appeal No. 5967 of 1990, D/ 512-1990.

Smt. Phoolwati, Appellant v. Union of India & Ors., Respondents.

**Constitution of India, Art. 311 – Appointment on compassionate ground – Petitioner widow of deceased employee in Govt. Printing Press seeking direction to allow her to stay in quarters and to employ her son according to his educational application – Directed that immediate steps be taken for employing applicant's son in a suitable post and she be allowed to stay in quarters.**

### 1989 Lab IC 2014 (SC) Foll.

Appointment on compassionate ground should not be delayed.

(Para 3)

**Cases Referred : Chronological Paras**  
1989 Lab IC 2014 : AIR 1989 SC 1976 3

### ORDER :— Special leave granted.

2. This Special Leave Petition has been filed against the judgment and order made by the Tribunal on 8-6-90 whereby the prayer for interim relief of allowing the appellant, who is none other than the wife of deceased husband Ram Krishan Lal who was employed in the Government of India Printing Press, died in harness to employ her second son in the said Printing Press and to allow her to live in the same quarter where her husband lived as an employee of the printing press. This

EEU/EEU/8712/90/JJS

lady, alone residing with her husband in Government quarter, the lady realising also pain of her husband dismissed her husband cannot go to her husband's approach. Petition the qua three son literate to his q

3. The 1990 and of this continued quarter that the Rs. 21,500 received Rs. 10,900 of her husband's Family but as such, quarter learned of Indian an employee despite of Court to and to the of India, that the Government provide in the previous Sushma 1989, §6, under t

it, failing which to pay arrears of 12 per cent of the case.

itions allowed.

92

RD

HA SHETTY  
J. J.

1990, D/- 512

Union of India

**Art. 311 —  
ate ground —  
d employee in  
rect' to allow  
em, her son  
application —  
os be taken for  
a suitable post  
quarters.**

ionate ground

(Para 35

logical Paras

SC 1976 3

granted.

petition has been .  
order made by  
ew the prayer  
, the appellant,  
ife of deceased  
ow employed  
Printing Press  
r second son in  
allow her to live  
r husband lived  
ing press. This  
under :—

lady, along with her three children has been residing in that quarter after the death of her husband, which occurred on 25-3-89. The Government tried to evict her from the said quarter in spite of repeated requests made by the lady to allow her to stay in the quarter on realising the reasonable rent from her. She also paid the rent as assessed during the period of her stay there. The Tribunal, however, dismissed her application on the ground that her husband died about a year ago and she cannot retain the quarter which was allotted to her husband while in service. The appellant approached this court by a Special Leave Petition praying for permitting her to stay in the quarter as well as to employ one of her three sons, specially, the second son who is literate, in the said printing press according to his qualification.

3. This Court issued a notice on 23-10-1990 and also directed that pending decision of this application she be permitted to continue her stay with her sons in the said quarter. The State has filed an affidavit stating that the appellant received an amount of Rs. 21,500/- as DCR Gratuity. She also received CGE Insurance amounting to Rs. 10,926/- and GPF amounting to Rs. 1717/- of her deceased husband. She is also getting a Family Pension of Rs. 390/- per month, and as such, she cannot continue to stay in the quarter. This Court repeatedly requested the learned counsel appearing on behalf of Union of India to consider the provisions that when an employee dies in harness, one of his legal representatives will be provided with an employment on compassionate ground. In spite of time being given repeatedly by this Court to consider this aspect of the matter and to take necessary instructions from Union of India, the counsel states before this Court that he has been instructed by the Government of India that it is not possible to provide her second son with an employment in the said press where her husband was previously employed. In a similar case, Smt. Sushma Gosain v. Union of India in AIR 1989 SC, 1976 this Court has held as under :—

"It can be stated unequivocally that in all claims for appointment on compassionate grounds, there should not be any delay in appointment. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the bread earner in the family. Such appointment should, therefore, be provided immediately to redeem the family in distress. It is improper to keep such case pending for years. If there is no suitable post for appointment supernumerary post should be created to accommodate the applicant."

Accordingly, we direct the Union of India to take immediate steps for employing the second son of the appellant in a suitable post commensurate with his educational qualification within a period of one month from the date of this order. The appellant shall be permitted to stay in the said quarter where she is presently residing with the members of her family. The appellant will, however, withdraw her application filed before the Tribunal. The appeal is thus allowed. There will be no order as to costs.

Appeal allowed.

### 1991 LAB. I. C. 393

(CALCUTTA HIGH COURT)

G. N. RAY AND S. K. HAZARI, J.J.

The State of West Bengal and others, Appellants v. Arabinda Bhattacharya & another, Respondents.

F.M.A. No. 73 of 87, D/- 27-8-1990.

**Constitution of India, Arts. 39(d), 14 and 16 — Equal pay for equal work — Different pay scales to employees of same post — Validity — Differentiation based on educational qualification and professional expertise — It is not discriminatory.**

On the basis of educational qualification and professional expertise, persons holding similar post may be treated differently in the matter of scales of pay. Articles 14 and 16 have inbuilt flexibility and a rational difference