



CAT/J/13

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

**O.A. NO.** 91/92 with M.A. 321/92

~~**T.A. NO.**~~

**DATE OF DECISION** 5.2.96

Naresh Kalubhai Baraiya, Petitioner

Mr. G.A. Pandit, Advocate for the Petitioner (s)

Versus

Union of India & Ors. Respondent s

Mr. R.M. Vin, Advocate for the Respondent (s)

**CORAM**

The Hon'ble Mr. V. Radhakrishnan, Admn. Member.

The Hon'ble Mr.

**JUDGMENT**

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

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- 2 -

Naresh Kalubhai Baraiya,  
S/o. Late Shri Kaloo Tapu  
Tilaknagar, Municipality  
quarters, Room No. 10,  
Bhangiwas,  
Opp: Adodiya Vas,  
Bhavnagar.

..... Applicant.

(Advocate: Mr. G.A. Pandit)

Versus.

1. The Union of India, notice  
to be served through the  
General Manager,  
Western Railway,  
Churchgate, Bombay.

2. Divisional Railway Manager,  
Western Railway,  
Divisional Office,  
Bhavnagar para.

..... Respondents.

(Advocate: Mr. R.M. Vin)

ORAL ORDER

O.A.No. 91/1992

with

M.A.No. 321/92

Date: 5.2.1996.

per: Hon'ble Mr. V. Radhakrishnan, Admn. Member.


Mr. G.A. Pandit not present. Heard  
Mr. Vin, learned counsel for the respondents.

2. In view of the social and economic status  
of the applicant delay is condoned.

3. The applicant belongs to scheduled Caste  
community. His father was working in the Railways and  
expired on 7.9.1975. The applicant was only five years  
old at that time. He sent his first application for  
compassionate appointment on 4.3.1987. He would have  
attained majority in 1988 and hence the application  
was well within time limit. In rejecting the request  
the respondents have not stated any reasons for doing  
the same. It appears that request of the applicant

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has not been considered on merits taking into account the income of the widow, other employed persons in the family and assets they have possessed as the Railway rules provide for applicant to apply within one year after attaining the age of majority. The case of the applicant should be considered on merits instead of rejecting it without giving any reasons. Accordingly the respondents are directed to consider the request of the applicant for compassionate appointment keeping all relevant factors in view within three months from the date of the receipt of a copy of this order and intimate the applicant accordingly. With the above direction M.A and O.A stand disposed of. No order as to costs.

  
(V. Radhakrishnan)  
Member (A)

etc.