

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

**O.A. NO.**

320 of 1992

~~W.A. NO.~~

DATE OF DECISION 22-01-1996.

Shri Viram Madhabhai Jadav Petitioner

Mr.M.S.Trivedi Advocate for the Petitioner (s)

Versus

Union of India and anr. Respondent

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

**CORAM**

The Hon'ble Mr. K.Ramamoorthy : Member (A)

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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Shri Viram Madhabhai Jadav,  
Parvati Bhavan,  
Station Road,  
Junagadh.

..Applicant.

(Advocate : Mr.M.S.Trivedi)

Versus

1. Union of India,  
(Notice to be served through  
the General Manager,  
Head Quarters Office,  
Western Railway,  
Churchgate,  
Bombay - 400 020.

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

..Respondents.

(Advocate : Mr.R.M.Vin)

JUDGMENT

O.A.NO.320 of 1992.

Date : 22-01-1996.

Per : Hon'ble Mr.K.Ramamoorthy : Member (A)

The application relates to the grant of compassionate appointment which has been denied on the ground that the applicant had failed to apply within time.

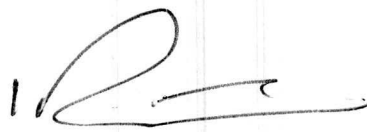
The facts of the case is as under :

The applicant's father was working as a Fitter (under the Chief EXR) who expired on 14.1.1970. The applicant was a minor being 2½ year old at that time. The applicant's case for compassionate appointment has been refused on the ground that the applicant had not applied within six months from the date of the applicant's attaining majority. According to the respondents, the applicant should have applied before March, 1986 while


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according to the respondents they had received the application on 18.8.1987. The applicant has stated that the mother of the applicant had applied in time. Nevertheless, it is clear from the documents that the respondents had not applied its mind as to whether the circumstances of the applicant warranted compassionate appointment as such. The respondents themselves have since extended this period and have also given powers to the General Manager to consider such cases if they duly deserve such consideration. The indigent circumstances of the applicant having been not considered by the respondents, the respondents are directed to reconsider the applicant on merits. For this purpose, the applicant may submit further representation to the respondents detailing the present circumstances of the applicant including the reason for delay that has been caused if any, in formally representing his case before the respondents. If such a representation is received within a period of three weeks, the respondents may consider the matter and dispose of the representation on merit within 16 weeks thereafter.





With the above directions, the application is disposed of. No order as to costs.

  
(K. Ramamoorthy)  
Member(A)

ait.

Date	Office Report	ORDER
4.11.96		<p data-bbox="601 351 777 388"><u>MA/740/96</u></p> <p data-bbox="601 438 1327 475">M.A. for extention of time is allowed.</p> <p data-bbox="601 500 1251 538">MA stands disposed of accordingly.</p> <div data-bbox="988 550 1392 737"> ( K.Ramamoorthy ) Member (A)</div> <p data-bbox="550 750 606 787">npm</p>

Date	Office Report	ORDER
4.11.96		<p data-bbox="597 348 778 393"><u>MA/740/96</u></p> <p data-bbox="597 436 1323 473">M.A. for extention of time is allowed.</p> <p data-bbox="597 498 1247 535">MA stands disposed of accordingly.</p> <p data-bbox="990 647 1300 735">( K.Ramamoorthy ) member (A)</p> <p data-bbox="551 747 604 784">npm</p>

Date	Office Report	ORDER
27.11.95		<p>At the request of Mr.R.M.Vin, adjourned to 5th December,1995.</p> <p style="text-align: right;">             (K.Ramamoorthy )            Member (A)         </p> <p>npm</p>
.95		<p>At the request of Mr.R.M.Vin, the matter is adjourned to 18th December,1995.</p> <p style="text-align: right;">             (K.Ramamoorthy )            Member (A)         </p> <p>npm</p>
18/12/95		<p>HEARD LEARNED ADVOCATE FOR THE APPLICANT &amp; RESPONDENTS JUDGEMENT RESERVED.</p> <p style="text-align: right;">             (K. Ramamoorthy,            Member (A),         </p>
22/1/96		<p>Judgement pronounced in open Court</p> <p style="text-align: right;">             (K. Ramamoorthy,            Member (A)         </p>

Date	Office Report	ORDER
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27.11.95

At the request of Mr.R.M.Vin, adjourned to  
5th December, 1995.

(K.Ramamoorthy )  
Member (A)

npm

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At the request of Mr.R.M.Vin, the matter  
is adjourned to 18th December, 1995.

(K.Ramamoorthy )  
Member (A)

npm

HEARD LEARNED ADVOCATE FOR  
THE APPLICANT & RESPONDENTS  
JUDGEMENT RESERVED.

18/12/95

22/1/96

(K Ramamoorthy,  
Member (A),

Judgement Pronounced in open  
Court

(K. Ramamoorthy,  
Member (A),