

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

NO
Compassionate
appointment -

O.A. No.
~~K.A. No.~~

2 of 1993

DATE OF DECISION 15.04.1993.

Shri V.M.Ranchhod Petitioner

Shri P.K.Handa Advocate for the Petitioner(s)

Versus

Union of India and others Respondent

Shri Anil S.Kothari Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. N.B.Patel : Vice Chairman

The Hon'ble Mr. V.Radhakrishnan : Member (A)

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

No.

Shri Vala Mansukh Ranchhod
Station Plot,
Tarachand Ghadiali's Dela
Junagadh (Sorath) - 362 001.

...Applicant.

(Advocate : Mr.P.K.Handa)

Versus

1. Union of India,
Secretary,
Ministry of Railways,
Rail Bhavan,
New Delhi.
2. General Manager,
Western Railway,
Churchgate,
Bombay - 400 020.
3. Chief Works Manager,
Loco workshop,
Ajmer, - Western Railway.
4. Works Manager,
Bhavnagar Workshop,
Western Railway,
Bhavnagar.

...Respondents.

(Advocate : Mr.Anil S.Kothari)

ORAL JUDGMENT

O.A.NO. 2 OF 1993.

Dated :15/04/1993.

Per : Hon'ble Mr.N.B.Patel : Vice Chairman

Heard Mr.P.K.Handa and Mr.Anil S.Kothari learned
advocates for the applicant and the respondents.

...3...

3. It appears that the General Manager turned down the proposal for relaxation as, under the circular of the 1987, he had powers of relaxation only in those cases where the time-gap between the request for compassionate appointment and the death of the erstwhile employee was upto 10 years. In this case, the said time-gap is more than 10 years. However, Mr.Kothari has braught to our notice the latest circular of 1991 which empowers the General Manager to grant relaxation even in cases where the time-gap is of a longer duration than 10 years. Thus, the General Manager has now the powers to grant relaxation in the present case. This being so, the General Manager is directed to reconsider the request of the applicant for compassionate appointment in the light of the present position which empowers him to grant relaxation, even in cases of time-gap of more than 10 years. Mr.P.K.Handa furnishes a copy of the application and the same may be attached to the copy of the order to be sent to the General Manager who shall treat it as a representation of the applicant and shall decide the same within a period of six weeks from the date of the receipt of the copy of this order.

...4...

3. In view of these directions, Mr. Handa seeks permission to withdraw this application. Permission granted. The application stands disposed of as withdrawn. No order as to costs.



(V. Radhakrishnan)
Member (A)



(N.B. Patel)
Vice Chairman

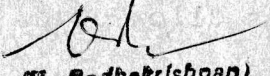

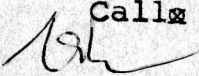

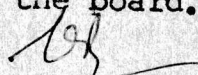

AIT

MA 336/93 in OA 2/93.

DATE	OFFICE REPORT	ORDERS.
09.07.1993.		<p>Parties' advocates present. At the request of applicants' respondents' advocate, adjourned to 9-7-93. Mr Handa's name may be shown.</p> <p style="text-align: right;">(N. B. Patel) Vice Chairman</p> <p>(V. Radhakrishnan) Member (A)</p> <p>M.A./336/93 is allowed to the extent of granting six weeks time from today for the General Manager to comply with our order dated 15.4.93 in O.A./2/93. If necessary the General Manager may inform the Railway Board that the matter may be dealt with on top most priority basis as it involves compliance of the Tribunal's order. No further extension will be given. The copy of this order may be furnished to Mr. Anil S. Kothari latest by 12.7.1993.</p>
20-8-93		<p>Call on 20.8.1993.</p> <p>(V. Radhakrishnan) (N. B. Patel) Member (A) Vice Chairman</p> <p>AIT/AS.</p> <p>O.A. is disposed of as withdrawn and it was an error to direct the placing of the O.A. on board today. There is no question of the O.A. being put on the board.</p> <p>(V. Radhakrishnan) (N. B. Patel) Member (A) Vice Chairman.</p> <p>*AS.</p>

DATE	OFFICE REPORT	ORDERS.
9-9-93		<p data-bbox="470 322 1392 687">Mr. Kothari is not present. Heard Mr. Handa In view of the facts mentioned in the application the application is allowed and time to comply with our order in O.A. 2/93 is extended till 31-10- 93. M.A. 437/93 stands disposed of accordingly.</p> <p data-bbox="477 763 810 834">(V. Radhakrishnan) Member (A)</p> <p data-bbox="1064 763 1332 834">(N.B.Patel) Vice Chairman.</p> <p data-bbox="492 876 568 909">*AS.</p>

MA 336/93 in OA 2/93.

DATE	OFFICE REPORT	ORDERS.
6/7/93		<p>Parties' advocates present. At the request of applicants respondents' advocate. adjourned to 9-7-93. Mr. Handa's name may be shown.</p> <p> (V. Radhakrishnan) Member (A)</p> <p> (N. B. Patel) Vice Chairman</p>
09.07.1993.		<p>M.A./336/93 is allowed to the extent of granting six weeks' time from today for the General Manager to comply with our order dated 15.4.93 in O.A./2/93. If necessary, the General Manager may inform the Railway Board that the matter may be dealt with on top-most priority basis as it involves compliance of the Tribunal's order. No further extension will be given. The copy of this order may be furnished to Mr. Anil S. Kothari latest by 12.7.1993.</p> <p>Call on 20.8.1993.</p> <p> (V. Radhakrishnan) Member (A)</p> <p> (N. B. Patel) Vice Chairman</p>
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copy
13-7-93

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