

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 399/93
T.A. No.

DATE OF DECISION 7-9-93

Smt. Vairam Bardhan and Others. Petitioner

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

Versus

Union of India and Others Respondent

Shri B.R. Kyada 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.

Smt. Vairam Bardhan
 Widow of late Shri Bardhan
 Jaganath (late Shri Bardhan
 Jaganath was working as Male
 Beldar under PWI (C) Ahmedabad
 at Jakhwada under XEN (C) I Ahmedabad.

Applicant.

Bhimwas No.1, Behind Old Rly. Station
 Near Railway Quarters, Jamnagar.

2. Shri Kanan Bardhan
 S/o Late Shri Bardhan
 Bhimwas No.1, Behind Old Rly. Station
 Near Railway Quarters, Jamnagar.

Applicant no.2

Advocate Shri B.B. Gogia

Versus

1. Union of India
 Owing and rrepresenting
 Western Railway
 Through General Manager,
 Western Railway, Churchgate
 Bombay.
2. Chief Engineer (Construction)
 Western Railway, 2nd Floor,
 BG Railway Station Bldg.,
 Railwaypura P.O., Ahmedabad.
3. Executive Engineer (C) I,
 Western Railway, Railway pura
 Ahmedabad.
4. Divisional Railway Manager
 Western Railway, Rajkot Division
 Kothi Compound, Rajkot.

Respondents.

Advocate

ORAL JUDGEMENT

In

O.A. 399 of 1993


Date: 7-9-93


Per Hon'ble Shri N.B. Patel Vice Chairman.

The applicants, who are respectively the widow and the son of one Shri Bardhan who is stated to have died while in service of the Railway's with temporary status, — — — —, have filed the present application for getting compassionate appointment for the applicant no.2. In the present application, it is stated that Shri Bardhan died on 28th January 1991 and thereafter the applicants have addressed an application dated 27th April 1993 to ^{the} respondent no.4 and the General Manager but they have not still heard anything about their prayer for compassionate appointment for the applicant no.2. Mr. Kyada states that he has still not received instructions whether the applicants have made any application dated 27th April 1993. However, it is a fact that the applicants have not received any communication in respect of compassionate appointment of the applicant no.2. In the circumstances, the respondent no.3 and/or respondent no.4. are directed to decide the applicant's application dated 27th April 1993, if they have received the same. In the event of their having not received the application or the application having been misplaced, they are directed

to treat the copy of this application as the application made by the applicants for compassionate appointment being given to the applicant no.2. The respondents are directed to consider and take decision on the request of the applicants for compassionate appointment to the applicant no.2, latest within ten weeks of the date of the receipt of a copy of this order and to communicate the result to the applicants within ten days of the taking of the decision by them.

2. In view of these directions, Mr. Gogia seeks permission to withdraw this application. Permission granted. Application stands disposed of. It is clarified that if the applicants are not satisfied with the decision that may be taken on their request for compassionate appointment of the applicant no.2, it will be open to them to challenge the decision by taking appropriate remedy. Two copies of this Original Application may be collected from Mr. Gogia together with all Annexures and may be sent to the respondents no. 3 and 4 along with the copy of this order. O.A. stands disposed of.


(V. Radhakrishnan)
Member (A)


(N.B. Patel)
Vice Chairman.

*AS.

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD.

Application No. 04/399/93 of 199
Transrer Application No. _____ Old writ Pet. No.

C E R T I F I C A T E

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

Dated : 05/10/93

Countersigned :

[Signature]
05-10-93

9/2 Section Officer [Signature] Court Officer

Sign. of [Signature] the Dealing Assistant.

