

CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. NO. 712 OF 1993

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DATE OF DECISION 13-4-1994

Solanki Chandu Jetha, Petitioner

Mr. D.T. Soni, Advocate for the Petitioner (s)

Versus

Union of India & Ors. Respondents

Mr. N.S. Shevde, 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 ?

Solanki Chandu Jetha,
C/o. Shri Dalpat Jetha,
Record Sorter,
M.S. Office, Dahod,
Dist: Panchmahals.

.... Applicant.

(Advocate: Mr. D.T. Soni)

Versus.

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

2. The Western Railway, (Notice to be served upon the Office of M.S. Dahod, Western Railway, Dist: Panchmahals.

.... Respondents.

(Advocate: Mr. N.S. Shevde)

ORAL ORDER

O.A.No. 712/1993

Date: 13-4-1994.

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

Heard Mr. D.T. Soni, learned advocate for the applicant and Mr. N.S. Shevde, learned advocate for the respondents.

2. The applicant sought for appointment on compassionate ground, after the death of his mother, who was serving as Sanitary Cleaner, at Dahod, who expired on 1.2.1993. The applicant states that he was fully dependant on his mother. The Railway rejected the application on the ground that earlier his brother had been given compassionate appointment on the death of his father, who was also a railway employee. Hence, the respondents state that two compassionate appointments one on account of fathers' death and another after the mother's death cannot be granted. The case of the

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applicant is that his financial condition was very bad as he was fully dependant on his mother, who was Railway employee, who died in harness. He had also stated that his brother is not supporting him financially. His grievance is that his case has not been considered on merits and was rejected only because his brother was given employment in 1982 when his father died. It is not disputed that his brother was given employment. The fact that the applicant was depending on his mother, who was Railway employee, his case could be considered on merits taking into account his financial condition instead of rejecting on the basis of that employment is given to his brother in 1982 who is not in any case supporting the applicant. Hence the application is disposed off with the following direction.

O R D E R

The application shall within 15 days of receipt of these directions submit a detailed application giving full facts of his educational qualifications and financial conditions to the respondents who shall consider the same on the merits with a view to offering the applicant any suitable job including Class IV job as per rules and take a decision within three months from the date of receipt of his application and communicate the decision to the applicant within two weeks thereafter.

No order as to costs.


(V. Radhakrishnan)
Member (A)

ss/vtc.

Office Report	ORDER
10.10.94	<p>Mr. Shevde undertakes to furnish copy of the M.A to advocate Mr. Soni. Adjourned to 12.10.1994.</p> <p><i>[Signature]</i></p> <p>(V.Radhakrishnan) Member (A)</p> <p><i>[Signature]</i></p> <p>(N.B. Patel) Vice Chairman</p> <p>vtc.</p>
12.10.94	<p>Notice of the O.A. may be served on the applicant's Advocate Mr.D.T.Soni returnable on 18.10.94. Service may be effected by the applicant furnishing copy of M.A. to the applicant's Advocate.</p> <p><i>[Signature]</i></p> <p>(V.Radhakrishnan) Member (A)</p> <p><i>[Signature]</i></p> <p>(N.B. Patel) Vice Chairman</p> <p>npm</p>
18.10.94	<p>Heard Mr.Shevde and Mr.Soni. Mr.Soni states that time to comply with the judgment may be extended till 31.12.94. It appears that heirs of the applicant may ^{wish} call upon to furnish certain information, which he has not done. The applicant is directed to furnish information at the earliest, so that direction in the judgment can be complied with by 31.12.94.</p> <p>M.A. stands disposed of accordingly.</p> <p><i>[Signature]</i></p> <p>(K.Ramamoorthy) Member (A)</p> <p><i>[Signature]</i></p> <p>(N.B. Patel) Vice Chairman</p> <p>npm</p>