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IV

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

(10)

O.A.No.262 of 1987.

Date of decision - November 10, 1989.

Md. Habib,
S/o late R. Mahatab
Ex-Khansama,
office of the Catering Inspector,
Catering Department/ S R C
C/ Sr.CAIR - SRC, Santaragachi,
Dist-Howrah, West Bengal
At/Present- P.O.Tarakote,
Via-Barundei, District-Cuttack.

.... Applicant

Versus

1. Union of India, represented by
the General Manager, S.E.Railway,
Garden Reach, Calcutta-43.
2. Chief Commercial Superintendent,
S.E. Railway, Garden Reach, Calcutta-43.
3. Deputy Chief Commercial Superintendent(Catering),
S.E. Railway, Garden Reach, Calcutta-43.

.... Respondents

For Applicant - M/s. C.V.Murty and C.M.K.Murty
For Respondents - Mr. L.K.Mohapatra,
Standing Counsel(Railways).

C O R A M :

THE HONOURABLE MR. B.R. PATEL, VICE-CHAIRMAN

A N D

THE HONOURABLE MR. N. SEN GUPTA, MEMBER(JUDICIAL)

1. Whether reporters of local papers may be allowed to see the judgment ? Yes.

2. To be referred to the Reporters or not ? No.

3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

JUDGMENT.

N. SEN GUPTA, MEMBER (JUDICIAL). The applicant was an employee under the South Eastern Railway and he retired on 28.7.1979 on the ground of permanent incapacitation. He applied to the railway authorities to appoint his eldest son in his place as a Rehabilitation Assistant. This prayer of his was turned down by the railway authorities because his son had already passed the upper age limit for appointment. Subsequently the applicant requested the railway authorities to appoint his third son Md. Anwar on compassionate ground. But as yet the railway authorities have not arrived at any decision.

2. The Railways in spite of being granted several adjournments have not filed any counter. So Mr. L.K. Mohapatra, learned Standing Counsel for the Railway Administration has requested for further time but it had to be refused.

3. We have heard Mr. C.V. Murty, learned counsel for the applicant and Mr. L.K. Mohapatra, learned Standing Counsel for the Railway Administration. The matter is simple and in a similar matter - Sushma Gosain & Ors. v. Union of India and Ors reported in II(1989) ATLT (SC) 442, Their Lordships of the Supreme Court have directed that the applications for appointment on compassionate grounds should be disposed of very early. So

*Mem Sub
18/1/89*

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we direct that the railway authorities should consider the prayer of the applicant with regard to the appointment of his third son Md. Anwar on compassionate grounds within three months, which according to us, is a reasonable time, from the date of receipt of a copy of the judgment.

4. The application is accordingly disposed of. No costs.

Jena Engt to 10/11/85.

..... MEMBER (JUDICIAL) .

B.R. PATEL, VICE-CHAIRMAN.

I agree.



B.R. Patel 10.11.89

..... VICE- CHAIRMAN.

Central Administrative Tribunal,
Cuttack Bench, Cuttack,

The 10th November, 1989/Jena, SrPA.