

O.A. No.65 OF 1993

Shri Bishnu Mirdha                      Applicant  
Versus  
Union of India and others                Respondents

For the Applicant ... Mr. A.K. Nanda, Advocate

For the Respondents ... Mr. B. Pal & Mr. O.N. Ghosh,  
Standing Counsel (Railway).

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THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN

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1. Whether reporters of local papers may be be allowed to see the judgment? Yes.
2. To be referred to the reporters or not? No.
3. Whether His Lordship wish to see the fair copy of the judgment? Yes.

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JUDGMENT

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K.P.ACHARYA, VICE-CHAIRMAN, The petitioner's father Hari Mirdha while working as Gang-man under P.W.I./S.B.P., died in harness on 11th February, 1973. The petitioner has filed this application for a direction to the opposite parties to give him an appointment on compassionate ground to any Group 'D' post.

2. No counter has been filed in this case. The statement made by the petitioner that his father died in harness while in service is not disputed.

3. I have heard Mr. A.K. Nanda, learned counsel for the petitioner and Mr. B. Pal, learned Standing Counsel and I have perused the records with the assistance of counsel for both sides.. Since there is no dispute regarding the death of the father of the petitioner while in service, I would direct that the case of the petitioner be sympathetically considered and an appointment on compassionate ground be given to him commensurate with his educational qualification; preferably within ninety days from the date of receipt of a copy of the judgment.

3. Thus the application stands allowed. No cost.

10/5/93  
VICE-CHAIRMAN

Central Administrative Tribunal  
Cuttack Bench, Cuttack  
dated 10.5.1993/ K. Mohanty

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

14th May, 1993.  
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Section Officer (J).

On a perusal of the judgment passed in Original Application No.65 of 1993, it has been noticed by me that it has been noted in paragraph 2 of the judgment that no counter has been filed in this case. As a matter of fact counter has been filed on 28th April, 1993. I would therefore, direct that Suo moto a Review Application be registered and put up for orders.

*legat*  
14.5.93  
VICE CHAIRMAN

Review Application No.14 of 1993  
(Arising out of O.A.No.65 of 1993  
disposed of on 10th May, 1993)

Shri Bishnu Mirdha                      Applicant

Union of India and others      Respondents

Forthe Respondents ... Mr.B.Pal and Mr.O.N.Ghosh,  
Standing Counsel (Railway).

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THE HONOURABLE MR. K.P.ACHARYA, VICE CHAIRMAN

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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 His Lordship wish to see the fair copy of the judgment? Yes.

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J U D G M E N T

K.P.ACHARYA, V.C.

In the judgment passed in O.A.No.65 of 1993 it has been inadvertently mentioned in para 2 of the judgment that no counter has been filed. As a matter of fact counter has been filed and this inadvertent mistake (apparent on the face of record) has crept in. Therefore in exercising of my Review Jurisdiction, the line appearing in paragraph 2 to the following effect "No counter has been filed in this case" be deemed to have been deleted and in its place it may be read that counter has been filed.

2. Thus, the Suo Moto Review application is accordingly disposed of. No costs.

  
14.5.93.  
Vice-Chairman

Central Administrative Tribunal,  
Cuttack Bench, Cuttack/K.Mohanty/  
14.5.93