

(A)

P.K. Chand
D. Satapathy

CAT / JV / II

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A./T.A./R.A.No. 902 1996

Nayana Dei & another Applicant (s)

Versus

Union of India & ors Respondent (s)

Sr No	Date	Order with Signature
	24.12.96	<p style="text-align: center;">REGISTER</p> <p style="text-align: center;">Registrar</p> <p>220 for Rs 50/- filw. For Regn. Please 24.12.96. Registrar For Admn. Please 24.12.96. Bench.</p>
1	26.12.96	<p>Heard Shri P.K.Chand, counsel for the applicant and perused the averments made in the Original Application. The father of the applicant No.2 served as a Gangman under P.W.I., S.E. Railway, Cuttack. He joined the service in 1966 and met with an accident while on duty and died on 23.9.1986. The applicant continuously represented for employment assistance being the eldest member of the family. Though the mother is also an applicant, learned counsel states that employment assistance could be considered only in the case of Amulya Gochhayat, S/o. Late Panu Gochhayat. The petitioners herein are both the mother Nayana Dei and Amulya Gochhayat.</p> <p>Such an old case as this could not have been revived, but for certain annexures filed in this Application which show that the application is under consideration. Shri Chand has brought to my notice Annexure-6</p> <p style="text-align: right;">...</p>

Serial e. of Order	Date of Order	Order with Signature
..1	26.12.96	<p>dated 29.12.1994 in which the S.E.Railway Men's Congress has moved the Chief Personnel Officer, S.E.Railway, Garden Reach(Res.2) by its letter dated 29.12.1994. The General Secretary of S.E.Railwaymen's Congress stated that the Senior D.P., S.E.Railway, Khurda had forwarded the applicant's case for consider processing and consideration to the Headquarters and in this connection his letter No.P/R/EA/OT/Gr.'D'/Panel dated 19.5.1994. ^{may be referred to} By another letter which is Annexure-6/B dated 9.2.1996, the General Secretary of the S.E.Railwaymen's Congress again reminded Respondent 2 that no further communication has been received and in this regard he referred to another letter of the DRM(P)/KUR No.P/R/EA/OT/Gr.'D'/Panel dated 13.11.1995. Subsequently, a letter was dx addressed ^{from Sr.} by Mr.A.B.Vajpayee to the Hon'ble ^{Min} Minister of State for Railways for consideration of the applicant's case. There is no response to this letter also as is evident from the averments. Annexure-7 dated 16.10.1996 is a representation addressed to the Divisional Personnel Officer, S.E.Railway, Khurda Road, wherein the brief history of the case has been narrated. The averments show clearly that the applicant's case for employment assistance is pending with the Respondents. In this view of the matter, it will be appropriate to dispose of this Application by giving a suitable direction to the Chief Personnel Officer, S.E.Railway, Khurda Road(Res.2). Respondent No.2 shall consider the prayers of the applicant as forwarded by Sr.DPO, Khurd's letter dated 19.4.1994 taking into account</p> <p style="text-align: right;">...</p>

Order with Signature

Office note as to
action (if any)
taken on order

..1 26.12.96 the fact that the applicant No.1's husband died since 23.9.1986 leaving behind two major sons and one minor son. Applicant No.1 as the mother and legal guardian has been praying for employment assistance to her eldest son Sh. Amulya Gochhayat. For this purpose her affidavit dated 4.3.1994 which is Annexure-5 to this Application may be perused. Respondent 2 shall dispose of the representation after proper consideration of this old pending request for compassionate appointment within a period of four weeks from the date of receipt of this order. His decision shall be intimated to the applicant.

The Application is disposed of with the above direction at the admission stage itself.

Hand over a copy of the order to the applicant's counsel.

[Signature]
MEMBER (ADMINISTRATIVE)

Order no. 1
Dt. 26-12-96

A copy of order and a copy of application may be sent to all respondents by Regd. Post / A.D. and a copy of order may be given to both counsels.

[Signature]
27/12/96

Received the *[Signature]*
copy
S.O.(T) 27/12/96
All copies (1)
Adv
for
applicant.