

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

AD. for R-1 not  
back.

Counter not  
filed.

4/11

Regn

Dt. 5.11.2003

Ld. counsel for the  
applicant is present.  
R-2 to R-5 continue to  
remain absent and  
no steps taken by them  
to file any counter.  
A.D. not returned from  
R-1 although notice  
by Regd. post sent to  
him on 21.2.03 and  
hence service  
treated sufficient  
on him.

Call on 10.12.03  
for counter.

Dom 2

REGISTRAR

Counter has  
not been filed.

4/12

Regn

Dt. 10.12.2003

Ld. counsel for the  
applicant is present. Ld.  
ASC appearing for R-3 to R-4  
continues to remain  
absent. No steps taken  
by him either to represent  
or to file any counter.

These facts put up  
before the Bench on  
17.12.2003 for further  
orders.

Dom 2

10.12.03

REGISTRAR

20.2.04

On the prayer made on behalf  
of Shri N. Routray time till 28.2.04  
is allowed as last chance for  
filing rejoinder. Call on 3.3.04  
for further orders. The name of Shri  
P.C. Rath be substituted in place of Shri P.C.  
Rath. Vice-Chairman

ORDER DATED 4-03-2004.

Heard Mr. N. Routray, learned  
counsel for the applicant and Mr. P.C.  
Rath, learned counsel appearing for the  
Respondents and perused the materials  
placed on record.

Non-consideration of the prayer  
of the applicant to provide compassionate  
appointment to the applicant No. 2 is the  
subject matter of this Original Application  
filed U/s. 19 of the Administrative  
Tribunals Act, 1985. Following to the  
premature death of the gangman named  
Sadhuram Chhatar, his widow (applicant  
No. 1) and son (Applicant No. 2) approached  
the Authorities/Railways to provide  
compassionate appointment to the applicant  
No. 2 in order to overcome the distress  
condition of the deceased family. While  
issuing notices to the Respondents,  
liberty was granted to the Railways to  
consider the case of the applicant for  
providing a suitable appointment to the  
Applicant No. 2.

OA 89/13

# ORDERS OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

counter has  
not been filed,  
for orders.

h  
11/12

Bund

Or. Dr. 17.12.03

counter not  
filed.

h  
11/04

Bund

Or. Dr. 7.1.04

Rejoinder not  
filed.

h  
20/10/04

Bund

Or. Dr. 21.11.04

Rejoinder not  
filed.

h  
31/10/04

Bund

Rejoinder filed,  
copy not sent.  
for further orders

h  
3/12

Bund

In the counter filed by the Respondents it has been disclosed that the Applicants having not furnished any report relating to their financial status/income certificate from the competent authority, the grievance of the Applicants have not been given a final consideration.

In the rejoinder filed by the Applicants, a copy of which has already been served on Mr. Rath, learned counsel appearing for the Railways/Respondents it has been disclosed that an income certificate dated 31.5.02 and that of 3.3.03 have already been furnished to the Railways/competent authority for giving due consideration to the grievance of the Applicant. Copies of both the Income certificates issued in Misc. Certificate Case No. 1735/01 on 31.5.01 and Misc. Certificate Case No. 467/03 dt. 3.3.03 have been filed as annexure-8 series to the rejoinder by the applicants.

Having heard learned counsel for both sides it is ordered that since the Income Certificates have already been submitted before the Respondents/Railways, the Respondents should now give full consideration to the grievance of the applicant to provide a compassionate employment to the applicant No. 2. The entire exercise pertaining to this, should



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OA 89/03

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Or. No. 4.3. 04

Copies of order  
prepared for  
counsel for  
both side

be done by the Respondents within a period  
of ninety days from the date of receipt of  
a copy of this order.

With the aforesaid observations and  
directions, this O.A. is disposed of leaving  
the parties to bear their own costs.

(MANDRANJAN MOHANTY)  
MEMBER, JUDICIAL

18/3

18/3/94  
(5)