

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

AD. for R-1 not
back.

Counter not
filed.

4/11
L

Regr

Dt. 5.11.2003

Lt. 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
R-1 although notice
by Regd. post & sent to
them on 21.2.03 and
hence service
treated sufficient
on them.

Call on 10.12.03
for counter.



REGISTRAR

Counter has
not been filed.

8/12
L

Regr

Dt. 10.12.2003

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

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


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 over come 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.

ORDERS OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Counter has
not been filed,
for orders.

h
1/12 Bunk

Or. Dr. 17.12.03

counter not
filed.

h
5/1/04 Bunk

Or. Dr. 7.1.04

Respondent not
filed.

h
20.1.04 Bunk

Or. Dr. 21.1.04

Respondent not
filed.

h
21.1.04 Bunk

Respondent filed.
copy not sent.
for further orders

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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Or. 28-4-3 84

Copies of order
prepared for
Court for
both sides

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.

Y. M. Mohanty
(MANORANJAN MOHANTY)
MEMBER, JUDICIAL