



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Application No.....

235

of 2004

Applicant (s) Pankaj Pradhan Respondent (s) Union of India for
Advocate for Applicant (s) M/S. L. K. Mohanty Advocate for Respondent(s)
J. K. K. Ray

NOTES OF THE REGISTRY

I.P.O of Rs. 50/- filed.
Defects pointed out
in Service format may
kindly be perused.
for favour of Registration
consideration please.

Shyam
S.O. (5)

18.4.04

DR

Defect removed
for Registration

Rego/for

Shyam

Please register. There is
no urgency to list the matter
before Madam Bench. List the
matter on 22-6-04. *Done* =

ORDERS OF THE TRIBUNAL

REGISTER

116/04
Registr

1. ORDER DATED 09.06.2004.

Bamadev Pradhan, a T.P.M.-A
of Railways was subjected to Medical
Examination and having not been found
suitable for further continuance in
the Railways, he had to face superannuation
for being invalidated. While facing
premature retirement, he had three
years service to go before facing the

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order ^{Preface} above

In view of one or more received from Court we only put up the case before the Bench.

Jh

9/6/04

Rejection put up before the Bench on 9-6-04.

9/6/04

For Admonition & Inform
order — copy served.

General

9/6/04

normal date of superannuation. In the said premises, having faced premature retirement in the year 1998, he represented to the authorities/Railways for providing a compassionate appointment in favour of his son Pankaj Pradhan (present Applicant) in order to remove the distress condition of the family. The Said Bamadev Pradhan, who was sick, died prematurely on 13.1.99 leaving behind his family in distress conditions. By producing legal heir certificate, the present Applicant sought for compassionate appointment from the Railways; which was repeatedly turned down under Annexure-A/6 dated 16.1.01 and under Annexure-A/8 dated 20.8.2002. On perusal of these two documents, it goes to show that for no reasons given, the prayer for compassionate appointment was turned down by the Respondents. After the second rejection order under Annexure-A/8 dated 20.08.2002, the present Applicant preferred an appeal to the General Manager of South Eastern Railway and that of E.C. Railways under Annexure-A/9 dated 25.08.2003. It appears, the representation to the General Managers under Annexure-A/9 dated 25.08.2003 of the Applicant is still pending.

In the said premises, having heard Mr. L. K. Mohanty, Learned Counsel for the Applicant and Mr. P. C. Panda, Learned Additional Standing Counsel for the Railways; on whom a

copy of this O.A. has already been served, this Original Application is disposed of by quashing the orders under Annexure-A/6 dated 16.01.2001 and under Annexure-A/8 dated 20.08.2002 on the ground that those two orders are bereft of any reason. Now that both the rejection orders having been quashed, the Respondent No. 2 (General Manager) is hereby directed to reconsider the grievances of the Applicant (to provide an employment on compassionate ground) within a period of sixty days from the date of receipt of a copy of this order. It is, however, to be observed that premature retirement/death of the Railway employee, has definitely placed his family in a disadvantage position and, in all fairness of things, every attempt should have been made by the Railways to remove the distress/indigent conditions of the family by providing an employment to the Applicant.

Send copies of this order to the Respondents, alongwith copies of the O.A., and free copies of this order be given to learned counsel for both sides.

J. S. S.
09/06/04
MEMBER (JUDICIAL)

Free copies of
order dt. 9.6.04
are to be given
to both sides.

De
11/6/04

copies 1 to 11/6/04 with
copies 2 to 5 to all
resps.

J. S. S.
09/06/04