

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For hearing.

A  
22-12-05-

Bench.

Order dated 02.01.06

Seeking an employment under the Railways, on compassionate ground, the Applicant had approached the authorities. No heed having been paid to such of his grievances, the Applicant had approached this Tribunal in O.A.No.373/04; which was disposed of on 29.6.04 with a direction to the Respondents to give due consideration to the grievances of the Applicant.

2. On consideration, the department/ Respondents/Railways rejected the claim of the Applicant on the basis of the report furnished by their Personnel Inspector.

3. Now by filing the present O.A.No. 1125/04 under Section 19 of the Administrative Tribunal's Act, 1985, the Applicant has pointed out that several documents (in support of the fact that his father was gainfully employed under the Railways) were not taken into consideration, while giving consideration to his claim for employment.

4. In fact, materials placed on record do not show that the materials (now placed as annexures to this O.A.) were ever taken into consideration by the Railways in course of giving consideration to the prayer of the Applicant. Even in the counter, filed by the Railways, it has not been pointedly answered about the materials (now placed on record) to show that Applicant's father was engaged under the Railways.

5. In the aforesaid premises, having heard the Counsel for both the parties,

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Order dt. 2-1-06

Copy of Order with  
Original application may be sent  
to all respondents by Regd.  
Post / AD and copy of Order  
may be given to both the  
counsel.

AD  
2/1/06

3/1/06  
S.O. (J)

this O.A. is hereby disposed of with a direction to the Respondents/Railways to give a fresh consideration to the grievances of the Applicant (pertaining to the prayer for providing him an employment on compassionate ground) by taking into consideration several materials placed in the O.A. (as annexures) in support of the fact that Applicant's father was gainfully engaged under the Railways at some point of time or other. The authorities of the Railways, while giving reconsideration, should give a personal hearing to the examine Applicant (and such other persons, as may be specified by the Applicant) and pass necessary consequential orders within a period of 90 days from the date of receipt of a copy of this order. It is made clear that only after verifying the factual aspects, the Respondents/Railways should proceed to find out as to whether the Applicant's claim (for an employment, on relaxation of recruitment Rules) can be considered or not in terms of the scheme for providing employment assistance on relaxation of rules.

6. This O.A. is, accordingly, disposed of.

7. Send copies of this order to the Respondents and to the Applicant in the address given in the O.A. and free copies of this order be also handed over to Mr. B.S. Tripathy, Ld. Counsel appearing for the Applicant and to Mr. T. Rath, Ld. Counsel for the Railways.

3/1/06  
Member (J)