

3

O.A. No. 215 of 2009

Order dated: 28.05.2009

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Heard Mr. N.R.Routray, Ld. Counsel appearing for the applicant and Mr. S.K.Ojha, Ld.Standing Counsel for the Railways, on notice.

2. Ld. Counsel for the applicant has filed Misc. Application No. 266/09 for condonation of delay. Having heard Ld. Counsel for the parties, the delay is condoned.

3. M.A. is accordingly disposed of.

4. As per the policy of the Railways, the applicant is entitled to be considered for compassionate appointment after he become major in 2002. His father died on 6.11.1999 while in service. The applicant has already produced the ~~document to the effect~~ ^{affidavit from} of his married sisters as per the requirement. Since, the case of the applicant falls within the ambit of Railway policy/guideline, the applicant already made representation in this regard to the General Manager at Annexure-A/10, which is still pending for disposal.

5. Mr. S.K.Ojha Ld. Counsel for the Railways submits that the power has been delegated to the Divisional Railway Manager of the concerned Division to consider

4
such type of cases for compassionate appointment. In view of this a fresh representation is required to be submitted by the applicant to the DRM.

6. Mr. N.R.Routray, Ld. Counsel for the applicant submits that the applicant shall make a fresh representation to the DRM within a period of 15 days. The DRM, i. e. Respondent No.3 is directed to consider his case and dispose of the representation with a speaking order within a period of four months from the date of receipt of a copy of this

order, if such a fresh representation is made by the applicant.

7. Accordingly, the O.A. is disposed of at the stage of admission itself.

8. Copies of this order, along with copies of the O.A. be sent to Respondent Nos. 3 to 6 and free copies of this order be given to the Ld. Counsel for the parties.


MEMBER (A)

RK