

Parbati Naik & Another .... Applicants  
Versus  
UOI & Ors. .... Respondents

1. Order dated 19<sup>th</sup> August, 2009.

C O R A M

THE HON'BLE MR. C.R.MOHAPATRA, MEMBER (ADMN.)

Applicants are the widow and son of Jagannath Naik. The said Jagannath Naik died prematurely on 16.4.2000 while working as Khalasi/BHO/Mechanical under DRM, Khurda Road of East Coast Railway. Thereafter, appointment in favour of Applicant No.2 was sought on compassionate ground. But, according to the Applicants, they have not heard anything on such prayer to provide employment on compassionate ground. Thereafter, under RTI Act, 2005 they sought to know the fate of their representation for employment. In turn, vide communication under Annexure-A/8 it was intimated that the request for employment assistance has been regretted by the competent authority. But the Applicants denied to have received any such communication rejecting such prayer. However, by filing this OA they sought to quash the communication under Annexure-A/8 and to direct the Respondents to

provide employment on compassionate ground to Applicant No.2.

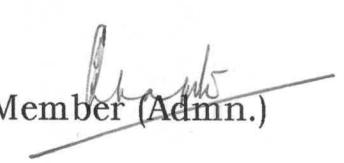
3. Heard Mr. P.K.Chand, Learned Counsel for the Applicant and Mr. S.K.Ojha, Learned Standing Counsel for the Railway on whom a copy of this OA has already been served.

4. Since it is the specific case of the Applicants that no such order of rejection of their prayer has been received by them ever before the information obtained by them under Annexure-A/8 and under Annexure-A/8 it was only intimated that request for compassionate appointment has been regretted by the competent authority, as agreed to by Learned Counsel for both sides, this OA is disposed of at this admission stage directing the Respondents to communicate the reason of rejection of the prayer of Applicants within a period of 30 days of receipt of this order. On receipt of such order, if the Applicants have any grievance on the reason of rejection, they are at liberty to make representation by way of appeal to the next higher authority within a period of seven days. On receipt of such representation of the Applicants, the authority to whom it will be addressed is directed to consider and

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dispose of the same with a reasoned order and communicate the result thereof to the Applicants within a period of 30 days. If still the Applicants feel aggrieved, they are at liberty to approach this Tribunal, if so advised.

5. Send copies of this order along with OA to the Respondents.

  
Member (Admn.)