

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 872 OF 2012
CUTTACK, THIS THE 4th DAY OF JANUARY, 2013.

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)

.....

Sri Ishwar Chandra Mohanta,
Aged about 43 years,
S/o. Late Gokul Mahato of
Vill- Dhobanisole, P.O. Bhairangisole,
P.S. Morada, Dist- Mayurbhanj.

.....Applicant

Advocate(s) M/s. B.P.Satpathy, B.K.Nayak, A.K.Sahoo, S.Pradhan.

VERSUS

Union of India represented through

1. General Manager,
South Eastern Railway,
Garden Reach,
Kolkatta.
2. Divisional Railway Manager,
South Eastern Railway,
Kharagpur,
West Bengal.
3. Sr. Divisional Personnel Officer,
South Eastern Railway,
Kharagpur.

Sl. Nos. 2 and 3 are At/P.O./Dist. Kharagpur, State- West Bengal.

..... Respondents

Advocate(s)..... Mr. T.Rath.

O R D E R (ORAL)

MR. A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. B.P.Satpathy, Ld. Counsel for the applicant and Mr.
T.Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy
of this O.A. has already been served.



2. From the O.A. it was found that the applicant's claim for compassionate appointment was rejected on 12.06.2008 by the Assistant Personnel Officer, South Eastern Railways, Kharagpur and the same was duly communicated to the applicant's mother, Gujuri Devi Mohanta, who is not a party in this case. Nothing has been stated regarding the delay in filing representation by the applicant on 28.12.2011. However, Mr. Satpathy, Ld. Counsel for the applicant, made a submission that a direction may kindly be issued to the Respondent No.3 to consider his representation though there has been some delay and laches on the part of the applicant, which is strongly opposed by Mr. T.Rath, Ld. Standing Counsel for the Railways. According to Mr. Rath, this case is not maintainable due to the inordinate delay on the part of the applicant in making representation.

3. However, taking into consideration the submissions made by the applicant, I feel it proper to dispose of this O.A. at the stage of admission itself by directing Sr. Divisional Personnel Officer, South Eastern Railways, Respondent No.3 to consider the representation, if the same is still pending before him, on merit and pass reasoned and speaking order and communicate the result thereof to the applicant within a period of two months from the date of receipt of this order. Ordered accordingly.

4. As prayed for by Mr. Satpathy, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent No. 3 at the cost of the applicant for which he will file requisites by 10.01.2013.

5. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.


(A.K. PATNAIK)
MEMBER(JUDL.)