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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/000012 OF 2014
Cuttack, this the 29th day of January, 2014

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)
.....

1. Jaina Dehury,
aged about 59 years,
2. Ranjit Dehury,
Aged about 28 years,
Both are widow and son of Late Purna Chandra Deuri,
Ex-Senior Trackman, O/O S.E. (P.Way),
E.Co.Rly., JJKR,
Permanent resident of
Vill.- Tentulipal, P.O.- Bramhanipal,
P.S.- Daitary, Dist.- Keonjhar,
PIN- 758082, Odisha.

.....Applicants

Advocate(s)... M/s. N.R. Routray, T.K. Choudhury, S.K. Mohanty, Ms. J. Pradhan,


VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, Rail Vihar,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda.
2. Divisional Railway Manager./
East Coast Railway/
Khurda Road Division/Jatni,
Dist-Khurda.
3. Divisional Personnel Officer-I./
East Coast Railway/
Khurda Road Division/Jatni,
Dist-Khurda.

..... Respondents

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



O R D E R (ORAL)

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

Heard Mr. N.R.Routray, Ld. Counsel for the applicants, and Mr. T. Rath, Ld. Standing Counsel appearing for the Railways, who accepts notice on behalf of Respondents. Registry is directed to serve notice, in terms of Sub Rule 4 of Rule 11 of the CAT (Procedure) Rules, 1987 for onward transmission.

2. M.A.No. 03/14 filed by the applicants to prosecute this case jointly is allowed. M.A. is, accordingly, disposed of.

3. The Applicants have filed this instant O.A. under Section 19 of the Administrative Tribunals Act, 1985 praying for a direction to the Respondents to consider the case of applicant No. 2 for employment on compassionate ground. It is the case of the applicants that after the death of the husband of the applicant No.1 on 28.02.2004, while he was in service, she has submitted an application for providing employment on compassionate ground in favour of applicant No.2. Again she submitted another representation to Divisional Railway Manager, E.Co.Railway (Respondent No.2) on 05.10.2013. Having received no response from Respondent No.2, she sent a reminder on 13.11.2013, which has also not been responded to.

3. Mr. T.Rath, Ld. Standing Counsel for the Railways, has fairly submitted that he has no instruction whether any such representations were at all sent by the applicant No.1 and the status thereof. However, he has taken the ground of delay and laches in seeking employment on compassionate ground and prayed for dismissal of this O.A.

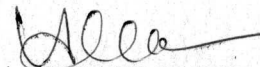


4. Since it is the positive case of the applicant that the representations preferred are still pending, without entering into the merit of this case, we dispose of this O.A. at the stage of admission by directing Respondent No.2 to consider the representation dated 05.10.2013, if at all made by the applicant No.1 and if the same is still pending, and dispose of the same by way of a well reasoned order and communicate the result thereof to the applicant within a period of 60 days from the date of receipt of copy of this order. However, we make it clear that if in the meantime said representation has already been disposed of then the result thereof be communicated to the applicant within two weeks from the date of receipt of copy of this order. No costs.

5. Copy of this order be transmitted to Respondent Nos. 2 and 3 at the cost of the applicants, for which Mr. Routray, Ld. Counsel for the applicants, undertakes to file the postal requisites by 31.01.2014.



(R.C.MISRA)
MEMBER (Admn.)



(A.K.PATNAIK)
MEMBER(Judl.)