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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

O. A. No. 312/Jodhpur/2012
With
M.A. No. 155/Jodhpur/2012

Date of decision: 16.08.2012

CORAM :

HON'BLE MR. B.K.SINHA, ADMINISTRATIVE MEMBER.

1. Baij Nath S/o Shri Devtadeen aged 40 years, resident of Ward No. 20, Behind Railway Hospital, Suratgarh, District Sriganganagar.
2. Smt. Malti Devi W/o Shri Baij Nath, aged 38 years, resident of Ward No. 20, Behind Railway Hospital, Suratgarh, District Sriganganagar.

.....Applicant

[Mr. R.S.Choudhary, Advocate]


Versus

1. Union of India through General Manager, North Western Railway, Jaipur.
2. The Divisional Railway Manager, North Western Railway, Bikaner.
3. Sr. Divisional Engineer (Construction), North Western Railway, Bikaner.

.....Respondents

ORDER (Oral)

Heard the learned counsel for the applicants.

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2. This is a case for compassionate appointment. The father of the applicant No. 1, expired while in service on 09.04.2006. The applicant thereafter, moved an application for appointment on compassionate grounds. On 27.01.2009, he was medically examined and declared unfit. Following this, he made a fresh medical examination as his case has been rejected for appointment on the post of Track Man. The request of the applicant is that he can be granted appointment against some other Class IV posts, for which he is medically fit and eligible.

3. It appears that the mercy petition filed in this regard is still pending consideration with the respondent-authority. Without going into the merits of the case, I, therefore, dispose of this application at this stage and direct the respondents No. 2 and 3 to consider the said mercy petition sympathetically in regard to provide an appointment on compassionate ground to applicant No. 1, and dispose of the same within a period of three months from the date of receipt of a copy of this order. Since the OA has been disposed of without entering into the merits, therefore, the M.A. filed by the applicant for condoning the delay in filing the OA, is also disposed of as it does not survive.

4. With the above, direction, the O.A. is disposed of.


(B.K. Sinha)
Administrative Member

jrm

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28/6/12
Sadeep Chaudhary