

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.290/00171/2015

Jodhpur, this the 05th day of April, 2016

CORAM

Hon'ble Dr. K.B. Suresh, Judicial Member
Hon'ble Ms. Praveen Mahajan, Administrative Member

1. Laxman Das S/o Shri Rampal, aged about 64 years, R/o Harijan Basti, Ratanada, Jodhpur.
 2. Mahendra S/o Shri Laxman Das, R/o Harijan Basti, Ratanada, Jodhpur.
 3. Mohini Devi W/o Laxman Das, R/o Harijan Basti, Ratanada, Jodhpur.
-Applicant

Mr. Muktesh Maheshwari, counsel for applicant.

Versus

1. Union of India through the General Manager, North Western Railway, Head Quarters, Jaipur.
2. Divisional Manager, North Western Railway, Jodhpur.
3. Smt. Ritu W/o late Shri Ravindra, D/o Papsa Pandit, R/o opposite near Bus Stand, Near Government Secondary School Bingwadiya, Jodhpur.

.....respondents

Mr. Govind Suthar, proxy for Mr. Manoj Bhandari, counsel for respondents No.1&2.

Mr. S.N. Goswami, counsel for respondent No.3.

ORDER (Oral)

Heard. The applicant was a Railway employee, who sought retirement on medical grounds in order that in his place his son may be granted compassionate appointment. This is one of most illegitimate and immoral way of obtaining a government employment. But however the Railways had granted it to the applicant's son i.e. Ravindra. But, apparently after some years of service, Ravindra passed away in the year 2014. Ravindra had a wife Ritu,

an employment on compassionate basis, it may be given to his second son Mahendra (applicant No.2). It is as if some sort of hereditary process of engagement is available in Railways. Applicant No.1 having retired from the job after obtaining his full benefits from his employment, therefore, the applicants are not entitled to be considered for any compassionate appointment and on this basis and judging through him, Mahendra also is not entitled for any such benefits.

Regarding right of Ritu to claim for compassionate appointment, the compassionate appointment scheme was lodged so that succour can be granted to the family, the family in respect to this the family of her husband, going by culture, traditions and mores of Hindu Indian Society and apparently as she is living elsewhere, but then she have also a limited right to be considered as specified under Paul Antony's case on State as held by the Hon'ble Apex Court as only status is the determining factor but before such right is decided, Smt. Ritu would be liable to give an undertaking to take care of applicants No.1 & 3 as well. She has no responsibility as far as applicant No.2 is concerned.

None of the other issues raised in the OA will lie. Accordingly the OA is dismissed. No costs.


[Ms. Praveen Mahajan]
Administrative Member


[Dr. K.B. Suresh]
Judicial Member