

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.46/2009

Wednesday this the 22nd January 2009

C O R A M:

HON'BLE Mr.JUSTICE M.RAMACHANDRAN, VICE CHAIRMAN

- 1 P.Devi, W/o late Sreedharan Nair
R/o Cheriya Vazhayil House, Koothali P.O
Perambra, Kozhikode District.
- 2 Pushpahasam, S/o late Sreedharan Nair
R/o Cheriya Vazhayil House, Koothali P.O
Perambra, Kozhikode District.

Applicants.

(By Advocate Mr.P.K.Ramkumar)

Vs.

- 1 Union of India represented by its Secretary
Department of Railways, Govt of India, New Delhi.
- 2 The Southern Railway, represented by its Zonal
Officer, Chennai, Tamil Nadu.
- 3 The Divisional Railway Manager
Mysore Division, PO Mysore, Karnataka.

Respondents

(By Advocate Mr.K.M Anthru)

ORDER

HON'BLE Mr.JUSTICE M.RAMACHANDRAN, VICE CHAIRMAN

MA No.67/09 for filing a joint application is not opposed. The M.A is allowed.

- 2 Mr.Sreedharan Nair had died in harness and dependents of the deceased Railway employee have filed this application on a plea that application for compassionate appointment, filed as early as on 7.3.2001 and 2.11.2002 (Annex.A2&A3) have not been taken into consideration at all. Mr.Ramkumar, counsel for the applicant, submits that because of the extreme compassionate

circumstances in which they are as of now, there should be a direction to expedite consideration of the applications. He further submits that the applicants are prepared to substantiate their claim with additional materials.

3 Mr.K.M.Anthru, standing counsel for the respondents, accepts notice on behalf of the respondents and submits that if necessary, a detailed reply affidavit can be filed since respondents are not sure about the existence of Annxs.A2&A3 and perhaps the claim itself might be barred by limitation. However, it is submitted by the counsel that the stand of the respondents, whatever that may be, will be communicated to the applicants. This submission of the counsel is recorded. That will be without prejudice to any of their stand and purely by way of courtesy. If additional representations, are filed within two weeks from to-day, the legal and factual contentions that may be raised ~~them~~ also should be adverted to.

4 It is made clear that I have not gone into the merits of the case and issue of the possible delay, if any. The application is disposed of with the directions as above.


(M.Ramachandran)
Vice Chairman.

kkj