

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 145 of 2005

Monday, this the 13th day of June, 2005

CORAM

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

1. N. Sukumaran,
"Sai Krishna", 22/3-94-A,
Chengalathu Parambu, Post Thiruvannur,
Kozhikode – 673 029

..... Applicant

[By Advocate Shri Parthasarathy]

Versus

1. The Divisional Railway Manager,
Southern Railway, Palghat.
2. The Senior Divisional Signal and
Telecommunication Engineer,
Southern Railway, Palakkad.
3. The Chief Personnel Officer,
Southern Railway, Madras.
4. The Senior Divisional Personnel Officer,
Southern Railway, Palakkad.

..... Respondents

[By Advocate Smt. Sumathi Dandapani]

The application having been heard on 13-6-2005, the
Tribunal on the same day delivered the following:-

ORDER

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN

The applicant was working as a Signal Interlocking Maintenance (Mechanical). Then he was transferred to Kasargode. While so, he was removed from service on the charges of unauthorised absence during 1982-1983. The applicant, challenging the removal of service had applied for compassionate allowance. The compassionate allowance was

granted but only from 1-5-2000. The applicant has submitted a representation before the 3rd respondent claiming compassionate allowance from the date of removal from service, i.e. 21-9-1983, on the strength of the judgement passed by the Hon'ble High Court of Kerala in OP.No.2493/99.

2. When the matter came up, learned counsel for respondents was heard and she sought time to get instructions. It was also stated that there was a decision of this Bench of the Tribunal. Respondents sought time to verify the decision of this Bench of the Tribunal in OA No. 721/97 ^{but} ~~and that~~ even today no reply statement has been filed.

3. We are of the view that the interest of justice would be met if the 3rd respondent is directed to consider and dispose of the matter within a fixed time frame. The applicant is, therefore, directed to make a composite representation enclosing the above mentioned judgement of the Hon'ble High Court of Kerala on which basis he is seeking the relief prayed for, within two weeks. On receipt of such representation, the 3rd respondent is directed to consider and take a decision and give a speaking reply to the applicant within a period of two months from the date of receipt of the representation.

4. The Original Application is disposed of as above at the admission stage itself. No order as to costs.

Monday, this the 13th day of June, 2005



K.V. SACHIDANANDAN
JUDICIAL MEMBER


SATHI NAIR
VICE CHAIRMAN

Ak/NRP