

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No. 169 OF 2006

Wednesday this the 14th day of February, 2007

CORAM :

HON'BLE Dr. K.B.S.RAJAN, JUDICIAL MEMBER

Suresh.V.V

Vellookaran House,
Mevelloor PO, Kottayam.

Applicant

(By Advocate Mr. C.S.Ajith Prakash)

Versus

1. Union of India represented by the
General Manager
Southern Railway, Chennai-3.

2. The Senior Divisional Personnel Officer
Southern Railway,
Thiruvananthapuram Division,
Thiruvananthapuram.

Respondents

(By Advocate Mr. Thomas Mathew Nellimoottil)

The application having been heard on 14.02.2007, the
Tribunal on the same day delivered the following :

ORDER

HON'BLE Dr. K.B.S.RAJAN, JUDICIAL MEMBER

The applicant had applied for compassionate appointment in the wake of his mother's demise and representation was made by the father of the applicant. for giving the applicant a suitable appointment. The applicant is the youngest son of the deceased railway employee. The other two sons are stated to be living separately. The respondents, in response to the representation of the applicant informed as under :-

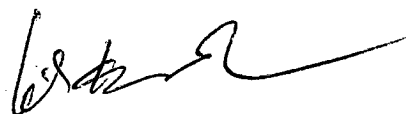
" Your request dated 01.12.2003 for appointment to your son Shri V.V.Suresh on compassionate grounds has been forwarded to the competent authority. It has since been advised that "the circumstances in the report does not justify to be

termed that relaxation in the minimum qualification is absolutely necessary." there are elder qualified sons available.

2. The counsel for applicant submits that the decision to reject the case of the applicant has been taken by the Chief Personnel Officer while the competent authority for compassionate appointment is the General Manager. Since in this case certain relaxation of educational qualifications may be required, this case in any event is to be considered by the General Manager, who in turn may refer the matter to the Ministry of Railways for necessary relaxation subject to his coming to the conclusion that the relaxation is justified. Considering the above, I am of the considered view that the General Manager should examine this case and arrive at a judicious conclusion. Let this OA be treated as a representation from the side of the applicant. If so desired, the applicant may submit a fresh representation and the same may be considered by the General Manager vide Annexure A-4. The fresh representation shall be made by the applicant within a period of two weeks from the date of communication of this order and the applicant shall make available a copy of the OA to the respondents.

3. OA is disposed of as above. No costs.

Dated, the 14th February, 2007.



K.B.S.RAJAN
JUDICIAL MEMBER