

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 247 of 2005

Thursday, this the 7th day of April, 2005

CORAM

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. K. Balan, S/o Balaraman,
Ex-Blacksmith, Southern Railway,
Signal and Telecommunication Workshop,
Poddanur,
Residing at: Panachikunnummel House,
Hill Bazaar, PO Mudadi, Quilandy,
Calicut District.

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Applicant

[By Advocate Shri Pankajakshan Pillai for Shri TCG Swamy]

Versus

1. Union of India, represented by the
General Manager, Southern Railway,
Headquarters Office,
Chennai – 3
2. Chief Signal and Telecommunication Engineer,
Southern Railway, Headquarters,
Park Town,
Chennai – 3
3. The Chief Workshop Manager,
Signal and Telecommunications,
Southern Railway, Podannur (T.N)

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Respondents

[By Advocate Shri P. Haridas]

The application having been heard on 7-4-2005, the
Tribunal on the same day delivered the following:



ORDERHON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

The applicant is an ex-employee of Southern Railways. He was removed from service on 21-3-1993. The grievance of the applicant is that despite repeated representations on various occasions he was not granted the compassionate allowance. Aggrieved by the said inaction, the applicant has filed this Original Application seeking the following reliefs:-

"(a) Declare that the Applicant is entitled to be considered for sanction of compassionate allowance as provided for under Rule 65 of the Railway Services (Pension) Rules 1993 read with Para 309 and 310 of the Manual on Railway Pension Rules, 1950;

(b) Direct the Respondents to grant the Applicant compassionate allowance with all consequential benefits including arrears arising therefrom;

(c) Direct the respondents to settle the applicant's Provident Fund dues and also the savings part of the General Insurance Account, with cumulative interest, calculated at the rates as applicable to the respective accounts upto the date of full and final settlement of the same;

(d) Award costs of and incidental to this application; and

(e) Grant such other relief, which this Honourable Tribunal may deem fit and proper in the circumstances of the case."

2. When the matter came up for hearing, Shri Pankajakshan Pillai representing Shri TCG Swamy, learned counsel appeared for the applicant and Shri P. Haridas, learned Standing Counsel for Railways appeared for the respondents.

3. Learned counsel for the applicant submitted that the applicant would like to

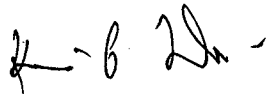


make a comprehensive representation to the 3rd respondent and he will be satisfied if a direction is given to the 3rd respondent to consider and dispose of the same within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

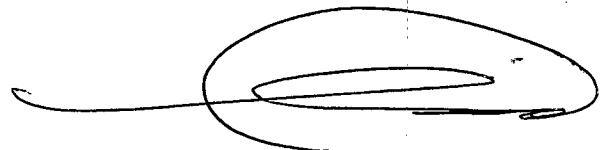
4. In the interest of justice, the applicant is permitted to make a comprehensive representation to the 3rd respondent within a week from today. On receipt of such representation, the 3rd respondent or any other competent authority shall consider and dispose of the same within a period of two months from the date of its receipt.

5. The Original Application is disposed of as above at the admission stage itself. In the circumstances, no order as to costs.

Thursday, this the 7th day of April, 2005



H.P. DAS
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

Ak/Mnv