

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.No.309/97

Thursday this the 14th day of August, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. S.K. GHOSAL, ADMINISTRATIVE MEMBER

T.P.Ajitha,  
Veliparambil House,  
Tripunithura.

.. Applicant

(By Advocate Mr. CS Ajith Prakash)

Vs.

1. The General Manager,  
Southern Railway, Madras.

2. The Divisional Manager,  
Southern Railway,  
Trivandrum Division,  
Trivandrum.

3. The Senior Divisional Personnel Officer,  
Southern Railway,  
Thiruvananthapuram.

.. Respondents

(By Advocate Mrs. Sumati Dandapani)

The application having been heard on 14.8.1997, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant is the daughter of late Smt. T.K. Parvathi who died while in service on 21.7.92. Alleging that the applicant though married was dependent on her mother for her livelihood as her husband had met with a very severe accident in 1987, the applicant made representations for employment assistance on compassionate grounds. Though repeated representations were made the applicant did not get any response. Ultimately the matter was taken up with the

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Railway Minister by the Leader of Opposition in the Kerala Assembly Shri A.K.Antony. In response to this Shri Antony was informed by the Minister for Railways that the matter was being examined. Finding no result, the applicant has filed this application praying for a direction to the first respondent to consider the case of the applicant for appointment on compassionate grounds.

2. The respondents resist the claim on the ground that the applicant being married with her husband living and having been not shown as a dependent of late Smt.Parvathi by her in any of the service records, the case does not deserve extension of the benefit of compassionate appointment to the applicant.

3. We have carefully gone through the pleadings and materials on record and have heard the arguments of the learned counsel. The documents produced by the applicant especially Annexure.A7 shows that the applicant's husband Shri Mohanan is working as a Coolie and earning an income of Rs.6,000/- per annum. Though Shri Mohanan had suffered injuries in an accident in the year 1987 by the applicant's own showing as evidenced by A-7 he has now become able to work as a Coolie and earn an income. From the materials placed on record, it is seen that even after 1985 children were born to the applicant in her husband Mohanan. Apart from that the averment in the reply that late Smt. Parvathy has not shown the applicant as her dependent in any of her communications to the Railway Administration, also belies the case of the applicant that she was wholly dependent on her mother Parvathy. Under these circumstances we are of the considered view that the applicant is not entitled to the

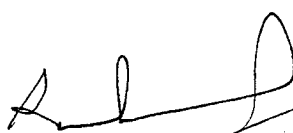
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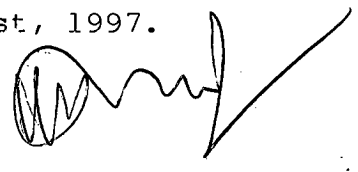
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benefit of the scheme for employment assistance on compassionate grounds. The application is devoid of merit and the same is dismissed leaving the parties to bear their costs.

Dated the 14th day of August, 1997.



S.K. GHOSAL  
ADMINISTRATIVE MEMBER



A.V. HARIDASAN  
VICE CHAIRMAN

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LIST OF ANNEXURES

1. Annexure A7: True copy of the Income Certificate issued to the applicant's husband by the Village Officer, Nadama, Tripunithura.

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