

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O.A. No. 32
~~T.A. No.~~

199 0

DATE OF DECISION 9.10.90

N. Annakodi Applicant (s)

Mr. P. Ramakrishnan Advocate for the Applicant (s)

Versus

UOI rep. by Secretary, Railways Respondent (s)
New Delhi and others

Mr. M. C. Cherian Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S. P. Mukerji, Vice Chairman

The Hon'ble Mr. N. Dharmadan, Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? *Yes*
2. To be referred to the Reporter or not? *No*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. To be circulated to all Benches of the Tribunal? *No*

JUDGEMENT

HON'BLE SHRI N. DHARMADAN, JUDICIAL MEMBER

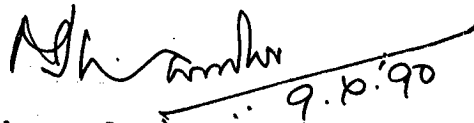
The applicant is the son of a Railway employee who dies in harness on 15.3.1975. At that time, the applicant was a minor. His mother filed an application for a compassionate appointment in 1987 after the applicant attained majority. However, that application was rejected as per Annexure A-1 order dated 20.11.1987. Neither the applicant nor his mother challenged that order presumably because they believed that relief would be obtained by taking up the matter for re-examination by higher authorities in the light of the directions issued by the Railway Board ^{in letter to} No. E(NG)II-83/RCI/73 dated 18.1.84. Accordingly, Annexure-2 and Annexure-3 representations


were filed by the mother of the applicant for getting compassionate appointment for her son. The applicant submits that these representations have not been considered and disposed of by the respondents till now and they are pending. This is not disputed by the counsel for Railways.

2. The limited prayer of the applicant at the time when the matter was taken up for hearing is only to issue a direction to the third respondent to consider the representations Annexure-2 and Annexure-3 and dispose of the same in accordance with law in the light of the relevant orders¹ and letters of the Board dealing with the compassionate appointment.

3. The applicant has a case that his father died in harness before his retirement and in view of the existing orders of the Railways, a person who was a dependant of a Railway employee at the time of his death, is entitled to compassionate appointment. These aspects and indigent circumstances of the family of the applicant had not been examined by the respondents. The respondents are bound to re-examine all the above facts and circumstances and take a decision while disposing of the representations, Annexures 2 and 3.

4. Accordingly we direct the third respondent to consider the representations, Annexure-2 and Annexure-3, and pass orders in accordance with law as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of the judgment. The application is disposed of as above. There will be no order as to costs.


(N. Dharmadan)
Judicial Member


(S. P. Mukerji)
Vice Chairman