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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL-LUCKNOW BENCH

LUCKNOW.

Misc. Petition No. 337 of 1992
O.A. No. 174 of 1991.

Mohd. Saleem Siddiqui..... Applicant.

Versus

The Union of India.& others..... Opp. Parties.

Hon'ble Mr. Justice U.C.Srivastava-V.C.
Hon'ble Mr. K. Chayya -A.M.

(By Hon'ble Mr. Justice U.C.Srivastava-V.C.)

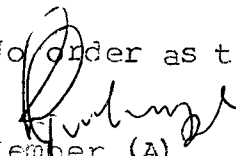
In this application a short question is involved and it can be disposed of at the stage of admission finally, as the affidavits have been exchanged. The applicant's father Shri Abdul Hameed was appointed as Tailor - C in Ordinance Clothing Factory Shahjahanpur on 26.7.1961 and ~~was~~ ^{he} expired on 1st February, 1989. The mother of the applicant and the widow of the deceased Smt. Kusma Banoo applied for pensionary and other benefits which were granted. She applied for compassionate appointment, of his third son. It appears that the District Magistrate Hardoi was asked to submit a report in this behalf and the District Magistrate Hardoi reported that the first son of the deceased Abdul - gayum is running a grocery shop and earning approximately six thousands rupees per year and second son Sri Abdul Qadir is also running Tailoring shop and earning the same amount per year. The deceased was ^{owning} a residential house in which a shop of Tailoring was running by his second son Mohd. Qadir. His widow has been given Rs.56000/- as benefit and getting salary pension at the rate of Rs. 625/- per month plus usual Dearness Allowance

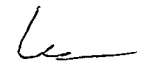
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As such taking into consideration the relevant rules in this behalf, the prayer of the applicant for compassionate appointment was rejected as when the deceased died only the applicant and his mother were dependant on him, the two other sons already earning member and the mother too has got enough amount to maintain herself.

In the relevant rules in view of the fact that there are two male members ^{who} are earners in the family and the family is not in strained circumstances. If Railway respondent have compared the relative merits of such compassionate appointment and not gave a preference to the applicant, no wrong has been committed by them and they have ~~not~~ thereby not violated the rule in this behalf and accordingly we do not find any merit in this application which has got to be rejected, but with the observation that the applicant's name may also be registered in the register of such persons who wait and if all other cases who have got the better claim and if the list ^{is} exhausted which contains the names of those whose case is better than that of the applicant whose cases ^{are more} ~~are~~ deserved ^{ing} than that of the applicant, his case ^{can} also be considered

No order as to the costs.


Member (A)


Vice Chairman.

Dt: May 21, 1992.

(DPS)