

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.188/2005
This the 04th day of May 2007

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Akhilesh Kapoor, adult, son of Late Sri Jagat Narain Kapoor, resident of T-II, Ganga Sichai Puram Colony, Telibagh, Lucknow.

...Applicant.

By Advocate: Shri Rayi Nath.

Versus.

1. Union of India through the Secretary, Ministry of Railways, New Delhi.
2. Divisional Railway Manager, Northern Railway, Lucknow.
3. D.P.O., Settlement, Northern Railway, Lucknow.
4. Rajeev Kapoor, adult, son of Late J.N. Kapoor, resident of C-1367/3, Indira Nagar, Lucknow.

By Advocate: Shri C.B. Verma.

ORDER (Oral)

BY HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.

Heard Shri Ravi Nath, the learned counsel for the applicant and Shri C.B. Verma, the learned counsel for respondents.

2. Shri C.B. Verma, learned counsel for the respondents submit that the Respondents No.4 though joined in service but subsequently, left the same and thus he is not working in the department. In view of such submissions made by the learned counsel for the respondents, applicant counsel submits that he has no grievance against Respondent No.4.

3. Heard both sides.



4. The applicant is the son of second wife of late Jagat Narain Kapoor, who died on 12.09.1986, while working as Assistant Superintendent, Personnel Department, office of the respondents. Subsequently, he filed an application before the respondent authority for his appointment on compassionate ground and the same is still pending without disposal. The applicant counsel submits that if his representation-dated 28.01.2001 covered under (Annexure-2) is considered and appropriate orders are passed as per rules and regulations, his purpose of this OA would be served. The learned counsel for respondents opposed the claim of the applicant and stated that he is not entitled for any such compassionate appointment. But for consideration of such representation of the applicant and for passing the appropriate orders as per rule and regulations, no loss would be caused to the respondents.

3. In view of the above circumstances, without going into the merits of the claim of the applicant, the OA is disposed of at this stage with a direction to the Respondent No.2 to consider the representation of the applicant dated 28.01.2001 covered under (Annexure-2) and pass reasoned orders as per the rules and regulations within a period of two months from the date of the receipt of the certified copy of this order. No order as to costs.


(M. KANTHAIAH)
MEMBER (J)

4-5-07

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