

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION No:193 of 2005
THIS, THE 9TH DAY OF SEPTEMBER, 2005

HON'BLE SHRI S.P. ARYA MEMBER (A)

Krishna Prasad aged about 31 years,
Son of late Sri Komal Prasad,
Ex.Constable CT No. 315 WB,
Resident of Village Katghar Pure chauhan,
Post Dev Rajpur, Tehsil Kadipur,
District Sultanpur.

Applicant.

By Advocate Shri Dharmesh Sinha for Pt. S. Chandra.

Versus

1. Union of India, through Secretary, Ministry of Railways, New Delhi.
2. General Manager , Central Railways, Shivaji Terminus, Mumbai (Maharashtra),
3. Chief Personnel Officer,
Head Quarters, Shivaji Terminus,
Central Railways,
Mumbai (maharashtra),
4. Chief Security commissioner,,
Railway Protection Force,
Shivaji Terminus,
Mumbai.
5. Divisional Security Commissioner,
Railway Protection Force,
Shivaji Terminus,
Mumbai.

Respondents.

By Advocate Shri Bhupendra Singh for Shri N.K.Agarwal.

ORDER

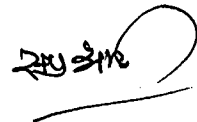
BY HON'BLE SHRI S.P.ARYA MEMBER (A)

The applicant by this O.A., seeks for issue of direction to the respondents to consider the appointment of the applicant on suitable post

on compassionate ground in accordance with the Railway Board Circular dated (RBE 100/94) and also for quashing the Annexure A-1 and A-2 communicating the rejection.

2. A preliminary objection has been raised by the respondents that the Railway Protection Force is covered by "any other armed forces of Union" and it is accordingly hit by Section 2 (a) of the Administrative Tribunal Act, 1985. In a similar matter, this bench has dismissed the O.A. with liberty to approach the appropriate forum.
3. Counsels for the parties were heard.
4. The applicant was working as Constable. He expired on 31.7.1975. Representations by the applicant for compassionate appointment were made. The representation has been rejected finding it more than 24 years. Highly belated claims cannot be considered for compassionate appointment in view of a ratio laid down in National Hydroelectric Power Corporation and Another versus Nanak Chand and Another reported in 2005 Supreme Court Cases (L&S) 357 and Smt. Aneesa Begum versus Central Administrative Tribunal, Allahabad and Others reported in 2005 (1) Administrative Total Judgments 425. In the light of above judgments, the O.A. is dismissed

at the admission stage without any order as to costs.



(S.P. ARYA)
MEMBER (A)

V.