

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

O.A. 422/06

Lucknow this the 11th day of December, 2006.

Hon. Mr. Justice Khem Karan, Vice Chairman.

Mohd. Aqeel, aged about 27 years, son of late Mohd. Haneef, resident of Village Maddey Ka Purwa, Post Jahangirwa, District Gonda.

Applicant

By Advocate Shri S.P. Mishra.

Vs.

1. Union of India through General Manager, N.E.R. Gorakhpur.
2. Divisional Railway Manager, NER, Lucknow.
3. Chief Engineer, North Eastern Railway, Gorakhpur Division, Gorakhpur.
4. Deputy Chief Engineer, B.G. Construction, North Eastern Railway, Bakshipur, Gorakhpur.
5. Assistant Engineer, P.W.I., East B.G. Construction, North Eastern Railway, Railway Station, Mau Nath Bhanjan, District Mau.

Respondents

By Advocate Shri Bhoopendra Singh for Shri N.K. Agrawal.

Order

By Hon. Mr. Justice Khem Karan, Vice Chairman

1. Parties counsel have agreed that this petition may be disposed of at admission stage itself as the point involved is very short and can be dealt with by issuing direction to the parties concerned.
2. The applicant is praying that the respondents be directed to give to ^{him} the applicant compassionate appointment under dying in harness rules, as his father died in harness on 21.7.2004.

3. His case in brief, as disclosed in the O.A., is that his father late Shri Mohd. Hanif was working as Gangman at Railway station Maunath Bhanjan under the respondents and while still in service, he died on 21.7.04, leaving behind him the applicant, widow and other members of the family. It is said that he moved application on 8.3.06 (copy of which is Annexure-1) to D.R.M., N.E.R. requesting him to give appointment on compassionate grounds. Thereafter, the request was repeated, but nothing has been done so far to the knowledge of the applicant.

4. The Tribunal is of the view that it would be sufficient, if the D.R.M. Lucknow is asked to consider any such request of the applicant for compassionate appointment in accordance with relevant rules on the subject within the time to be fixed by the Tribunal. There is no point in keeping the O.A. pending here.


5. So, this O.A. is finally disposed of with a provision that in case an application to ^{Competent Authority} ~~D.R.M., N.E.R. Lucknow~~ is moved within a period of 15 days from today for fresh appointment on compassionate grounds, he will consider the same together with any other application of the applicant that may be pending with him in accordance with relevant rules/orders on the subject within a period of 3 months from the date certified copy of this order together with the application of the applicant is received by him and apprise the applicant about the result of such consideration. No order as to costs.

Vice Chairman

s.a.

Comma de vide order

Date 23.2.07


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