

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
CIRCUIT BENCH LUCKNOW

REGISTRATION DA NO. 213/1987

D.C.MishraApplicant

Versus

Union of India & Others Respondents

Hon'ble Mr. Justice U.C.Srivastava, V.C.
Hon'ble Mr. A. B. Gerthi, Member (A)

(By Hon'ble Mr. Justice U.C.S., V.C.)

The applicant's mother Smt. Yogmaya was a lady ~~women~~ in Divisional Railway Manager Office Northern Railway, Lucknow. She died on 12.7.1984 i.e. one month after the death of her elder son. From the record it appears that her husband ~~who~~ was also ~~the~~ retired Railway employee ~~also died one year after his death~~ Smt. Yogmaya left behind the applicant the other surviving son and two married daughters. Although in the counter affidavit it has been stated that she left behind three married daughters but written statement apparently is incorrect and is third one is the daughter-in-law i.e. widow of her elder son. The applicant applied for appointment on compensationate ground. The relationship etc. has not been denied but in the counter affidavit at pag 3 for defeating the appointment on compensationate ground, ~~has been taken~~. It has been stated that in the T.C. his date of birth has been given but the another T.C. from an unrecognised school which was not got verified by the Welfare Inspector who

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verified the earlier T.C. the father's name differs. The applicant has denied filing the same and is stated that it may be ~~mischievous~~ ^{of} his sister-in-law. Anyhow even if there was some ~~sympathetic~~ ^{deserving} there was no ground for defeating his claim or right for appointing him on ~~compassionate~~ ^{the} ground he is the only son and ^{only} ~~the~~ person who was claimant for such a post. The ~~rejection~~ ^{declaration} of the applicant on such a ground is really ~~unjust~~ ^{very} ~~jealous~~ and uncalled for. Accordingly we allow the application and direct the respondents to appoint the applicant for a suitable job in place of his deceased mother within the period of 3 months. No order as to costs.

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MEMBER(A)

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VICE-CHAIRMAN

Dated: May 20, 1991

(LUCKNOW)

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