

(13)

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 244 of 1992

Rajendra Prasad Maurya . . . . . Applicant

Versus

Union of India & Others . . . . . Respondents.

Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. K. Obayya, Member (A)

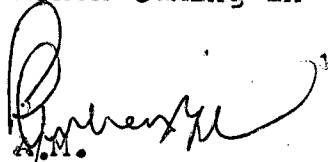
( By Hon'ble Mr. Justice U.C. Srivastava, VC)

The applicant's father Shri Kashiram who was working as regular mate /Keyman under P.W.I. Balamau died on 2.6.1991 in harness, it is thereafter, the applicant applied for his appointment on compassionate grounds on 19.6.1991 and 11.7.1991 alongwith photostat copies of his High School and Intermediate certificate. This application has been rejected by D.R.M., N.Railway Moradabad on the ground that he is above 21 years of age and he has no widow mother to support. It appears that D.R.M., Moradabad is not conversant with legal and factual position that is why he has shown ignorance about it and passed such an order. The order on his face is erroneous and can not be sustained. There is no bar of a person who has crossed 21 years of age to get appointment on compassionate ground and it is not necessary that widowed mother should be alive only then a person should get a compassionate appointment. Although we have said something more about the D.R.M., Moradabad and his capacity and capability to work. However, the order is question is quashed. The respondents are directed to give an appointment to the applicant on compassionate ground as far as possible within a period

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three month taking in to consideration with limitation.

  
A.M.

  
V.C.

Lucknow 15.7.92

(RKAA)