

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.**

O.A. No. 234 of 2006

Date of order : 18.04.2006

C O R A M

Hon'ble Mr. Justice P.K. Sinha, Vice-Chairman

Smt. Phul Kumari Devi and another

Vs.

Union of India and others

Counsel for the applicants : Shri M.P. Dixit

Counsel for the respondents : Shri Mukund Jee

O R D E R(Oral)

By Justice P.K. Sinha, V.C:-

Heard both sides. This is an application for appointment on compassionate ground, the husband of applicant No. 1 and father of applicant No. 2, one Ram Chhabila Rai, Carriage Fitter under the Senior Section Engineer, having died in harness on 17.05.2002.

2. A separate application of the applicants to allow them to prosecute this application jointly is, in the circumstances of the case, also allowed.

3. The case of the applicants is that

[Signature]

correspondences were made for appointment on compassionate ground of applicant No. 2, namely, Ajay Kumar Rai. Several correspondences were made also from the sides of the respondents, which amply show that his case had remained all along under the consideration, and time and again he has been asked to produce certain documents and to appear in competence test or to appear in medical test. The grievance is that despite his case having remained under consideration, no order till now has been communicated to the applicants appointing applicant No. 2 on compassionate ground to Group 'D' post or rejecting the same for reasons whatsoever. It has been pointed out that the last letter by the authority was issued dated 31.5.2005 at Annexure A/7 for appearing in the examination meant for appointing suitable candidate on compassionate grounds.

4. It has been claimed that the matter is still under consideration of the authorities. In my opinion, a decision on the application of the applicants for appointment of applicant No. 2 on compassionate ground should be taken



expeditiously, rather in matters^{of} of compassionate appointment, it is expected that the authorities will always take expeditious decision.

5. In that view of the matter, respondent No. 2, the Divisional Railway Manager, N.E. Railway, Varansi (U.P) is hereby directed to take a decision upon the pending application of the applicant, within two months of the receipt of a copy of this order, by recording a reasoned order. In case such decision has already been taken in writing, not yet communicated to the applicant, a copy of that order should be handed over within the same period to the applicants. The applicants are hereby directed to make available a copy of this order along with copy of the application with Annexures, to respondent No. 2, within two weeks of the receipt of the certified copy of this order.

6. With the aforesaid directions, this application is disposed of. No order as to the costs.



(P.K. Sinha) V.C.

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