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CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH, PATNA

OA No.84 of 2006

Date of order : 7th March, 2006

C O R A M

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

Lalan Kumar Yadav

.....

Applicant

, Vrs.

Union of India & Ors.

.....

Respondents.

Counsel for the applicant : Shri S.N.Mishra

Counsel for the respondents : Shri A.A.Khan, Id. SC

ORDER [ORAL]

Justice P.K.Sinha, VC : -

This is an application for compassionate appointment on account of death of the grand father of the applicant who died in harness on 17.11.1997. The applicant claims that in his will and other documents the deceased employee had adopted the applicant and his brother who both were his grand children. No law about validity of adoption of grand child during ^{his} life time of his father has been shown. In any case, the applicant's case is that the applicant and his brother were dependent upon the grand father, their father having abandoned them after ^{having} married second

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time. The application for compassionate appointment by the applicant Lalan Kumar Yadav was filed for the first time on 22.7.2004 vice Annexure-A/7.

2. On some queries by the Tribunal, the learned counsel for the applicant submits that the General Manager of the concerned railway under the rules is empowered to grant appointment on compassionate ground even if an application was filed with delay. The learned counsel intimated that the application at Annexure-A/7 was addressed to the Divisional Railway Manager [Personnel], E.C.Railway, Samastipur but the applicant may be permitted to file a similar representation to the General Manager of the same Railway which may be considered by him.

3. If the applicant wants to file a fresh application to the General Manager, he is always free to do that. If such an application is filed, obviously, that will be disposed of by the General Manager within a reasonable period. Since the applicant desires to file a fresh application to the General Manager, presently no need to record any substantive order in this application.

4. In view of such submissions, this application stands disposed of.


[P.K. Sinha]
Vice-Chairman

mps.