

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

Original Application No.686/87.

CAT/BOM/Stamp No.702/87

Prakash Jagannath Sonawane

... Applicant No.1

Jagannath Arjun Sonawane  
Railway Quarter No.K-Type,  
Line No.116, Room No.859,  
Railway Porters' Chawl,  
KALYAN.

... Applicant No.2

vs.

1. Union of India  
through  
The General Manager,  
Central Railway,  
Bombay V.T.
2. The Divisional Railway Manager,  
Central Railway,  
Bombay V.T.

... Respondents.

Coram:Hon'ble Vice-Chairman B.C.Gadgil  
Hon'ble Member(A)J.G.Rajadhyaksha

Appearance:

Mr.D.V.Gangal  
Advocate for  
the applicants.

ORAL JUDGMENT

Date: 12-11-1987

(Per B.C.Gadgil,Vice-Chairman)

Heard Mr.Gangal for the applicants. We do  
no think that this matter deserves to be admitted  
for the following reasons:

There are two applicants. Applicant No.2  
was a Rakshak in the Railway Protection Force. He  
was found medically unfit for category B-1 but was  
found fit for category C-1. He was given an alter-  
native post of a Chawl Watchman. However, he did not  
accept it. This can be seen from Annexure 'D' of the

application. Applicant No.2 wants that he should be given any other Class IV post. We do not think that he can claim any such post after having refused to accept the alternative post. The claim of the applicant No.2 is therefore liable to be rejected.

Applicant No.1 is the son of Applicant No.2. He claims that on compassionate grounds he should be given some job in the organisation. Annexure 'F' of the application shows that his case has been recommended for this purpose in June, 1987. No order~~s~~ has yet been passed as to whether that recommendation is accepted or not. Applicant No.1 claims that he should be given employment on compassionate grounds. In our opinion for this purpose it is not necessary to admit the application as the directions mentioned below would be sufficient. We would like to state specifically that only these two contentions have been argued before us and the rest of the points have not been pressed.

In view of the above discussion the application is summarily dismissed with a direction to the respondents that they should consider within three months from today the question as to whether the Applicant No.1 should be granted employment on compassionate grounds as mentioned in the letter dtd. 22-6-1987 and to pass appropriate orders in that respect. A copy of this order should be given to Mr. Gangal with a view to enable him to serve it on the respondents.

*B.C.Gadgil*  
(B.C.GADGIL)  
Vice-Chairman

*(V.G.RAJADHYAKSHA)*  
(V.G.RAJADHYAKSHA)  
Member (A)