

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 1005/1996.

Date of Decision: 25.11.1997.

Shri Nandu S/o. HIRAMA Shejole, Petitioner/s

None.

Advocate for the
Petitioner/s

V/s.

Union Of India & Anr.

Respondent/s

Shri R. R. Shetty,


Advocate for the
Respondent/s

CORAM:

Hon'ble Shri B. S. Hegde, Member (J).

~~Hon'ble Shri~~

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to other Benches of the Tribunal ?


(B. S. HEGDE)
MEMBER (J).

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 1005/96.

Dated this Tuesday, the 25th day of November, 1997.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).

Shri Nandu S/o.Hirama Shejole,
R/o. Malkapur, Pant Nagar,
Ward No. 26, Taluka Malkapur,
District - Buldhana
(None for the applicant)

... Applicant

VERSUS

1. Union Of India through
The General Manager,
Central Railway,
Bombay - V.T.

2. The Divisional Rly Manager (P),
Bhusawal,
Dist. Jalgaon.

... Respondents.

(By Advocate Shri R. R. Shetty).

: ORAL ORDER :

¶ PER.: SHRI B. S. HEGDE, MEMBER (J) ¶


By this application, the applicant is seeking direction to the respondents to grant him compassionate appointment in place of his father, late Shri Hiranman Dagdu Shejole, who died in harness on 09.07.1987. At the relevant time of the father's death, the applicant was only 15 years of age and he attained majority in the year 1990. He applied for compassionate appointment in the year 1992, after a lapse of 1½ years from the date of attaining majority, therefore, his case for compassionate appointment was rejected by the Senior Divisional Personnel Officer on the ground of limitation. Thereafter, the case of the applicant was again taken up by the



Central Railway Mazdoor Sangh for review by the Divisional Railway Manager, Central Railway, Bhusaval, who forwarded the same to the Headquarters Office at Mumbai, with recommendations. The case of the applicant was further forwarded to the Railway Board by the Headquarters Office for relaxation in time limit but the same was rejected by the Railway Board after due consideration vide their letter dated 22.11.1993, which was communicated to the applicant on 03.01.1992.

2. The Learned Counsel for the respondents submits that the letter of the Railway Board rejecting the name of the applicant is not traceable and ^{therefore,} the same has not been annexed. He further submits that the request of the applicant has been considered not once but thrice and the same has not been acceded to. He further submits that in view of catena of decisions by the Supreme Court, the Tribunal cannot give directions for compassionate appointment, unless the applicant complies with the guidelines.

3. The O.A. is filed in the year 1996, after a lapse of five years. In my opinion, apart from delay in filing the application, the applicant has also not made out any grounds for granting compassionate appointment, both on point of limitation as well as on merits. In the result, we do not find any merit in the O.A. and the same is dismissed with no order as to costs.


(B. S. HEGDE)
MEMBER (J).