

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH MUMBAI

ORIGINAL APPLICATION NO: 650/2000

DATE OF DECISION: 22.1.2001.

Shri Venkatesh Damodar Sonar Applicant.

Shri K.B. Talreja Advocate for
Applicant.

Versus

Union of India and others. Respondents.

Shri R.R. Shetty Advocate for
Respondents

CORAM

Hon'ble Ms. Shanta Shastry, Member (A)

(1) To be referred to the Reporter or not? /

(2) Whether it needs to be circulated to
other Benches of the Tribunal?

(3) Library. ✓

Shanta Shastry
(Shanta Shastry)
Member (A)

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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO:651/2000

MONDAY the 22nd day of JANUARY 2001.

CORAM: Hon'ble Ms. Shanta Shastry, Member (A)

Shri Venkatesh Damodar Sonar
R/o Gavdevi Mandir Road,
Zopadpati, Ambernath,
Dist. Thane.

...Applicant.

By Advocate Shri K.B. Talreja.

- V/s
1. The Union of India through
The General Manager,
Central Railway, Mumbai CSTM.
 2. The Divisional Railway Manager,
Central Railway, Mumbai CSTM.
- ...Respondents.

By Advocate Shri R.R. Shetty.

ORDER (ORAL)

{Per Ms. Shanta Shastry, Member(A)}

The applicant has approached this Tribunal to direct the respondents to consider him for appointment on compassionate grounds on priority basis.

2. The applicant is the son of Shri Damodar Narsappa who was working as Carpenter Grade I under Chief Inspector of Works (N) CSTM under Railways. He expired on 24.4.1999. He was permanent employee drawing the basic pay of Rs. 1350/-. The applicant has submitted that he has passed 8th standard and he was born on 27.8.1975. The applicant has produced Annexure 4 at page 10 of the OA in support of his claim. The applicant applied for compassionate appointment. No date is given. The applicant submits that the financial condition of the family is very weak.

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They all are living in Zopadpathi. The applicant's mother is a sickly woman. The applicant is the only son and has two sisters.

3. There also appears to be a second wife of the deceased employee having one daughter.

4. The learned counsel for the respondents submits that the applicant was advised to produce certain documents vide letter dated 6.3.2000 namely

- (a) The date of marriage of Smt. Mallamma and Smt. Venkatamma with proof of marriage to applicant's father.
- (b) Residential Address.
- (c) Succession Certificate.
- (d) Attested copy of VIII Std. passed mark sheet.

On going through the pleadings there appears to be no material to show that the applicant has complied by producing the documents asked for by the respondents. The applicant however has attached one school leaving certificate at Annexure 4 at page 10 of the paper book. This school leaving certificate is objected to by the counsel for the respondents as being a fake one as even the name of the school is not spelled properly and the pin code of school of Jogeshwari is also shown wrongly. Therefore it cannot be relied upon at this stage. The learned counsel for the applicant produced another school leaving certificate of a different school situated in Ambarnath. The

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learned counsel for the respondents has taken objection to the same. In fact it cannot be understood why the applicant had to produce two school leaving certificates one from Jogeshwari and another from Ambernath. Both cannot be relied upon.

5. Be ^{fact} as it may the ^{to} fact that the applicant hurried to approach the Tribunal without complying with the preliminary requirement for compassionate appointment. I am therefore unable to consider the application at this stage. The OA is therefore dismissed as being premature. However the applicant is at liberty to approach the respondents with the requisite documents for consideration. ^{and the respondents shall consider and decide the same} If the applicant is still aggrieved, it is open for the applicant to ^{take} recourse as per law. No costs.

Shanta

(Ms. Shanta Shastri)
Member(A)

NS