

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Dated: 15 FEB 1994

APPLICATION NO(s) 795 of 1993.

APPLICANTS N. Arun Kumar v/s. RESPONDENTS: Divisional Railway Manager,  
Southern Railway, Mysore and Others.

TO.

1. Sri. Ravivarma Kumar,  
Advocate, No. 11,  
Jeevanbuildings,  
Kumarapark East,  
Bangalore-1.
2. The Divisional Railway Manager,  
Southern Railways, Mysore.
3. The Chief Personnel Officer,  
Southern Railways, Park Town,  
Madras-600 003.
4. The Chairman,  
Railway Board,  
Rail Bhavan,  
New Delhi.
5. Sri. A. N. Venugopala Gowda,  
Advocate, No. 8/2, Upstairs,  
R.V. Road, Bangalore-4.

SUBJECT:- Forwarding of copies of the Orders passed by  
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 28-01-1994.

gm\*

*O/C*  
*Issued on 15/2/94*

*for* *S. Sankar*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

O.A.NO.705/1993

MR. JUSTICE P.K. SHYAMSUNDAR VICE CHAIRMAN  
MR. T.V. RAMANAN MEMBER (A)

FRIDAY THIS THE 28TH DAY OF JANUARY, 1994

Shri N. Arun Kumar,  
Son of late Shri Yesu, Prasad,  
aged about 23 years,  
residing at No.161/D,  
Railway Colony,  
Mysore South

Applicant

( By Advocate Shri Ravivarma Kumar )

v.

1. The Divisional Railway  
Manager, Southern Railway,  
Railway Office,  
Mysore Division, Mysore
2. The Chief Personnel Officer,  
Southern Railway,  
Park Town,  
Madras - 600 003
3. The Chairman,  
Railway Board,  
Rail Bhavan,  
New Delhi

Respondents

( By Advocate Shri A.N. Venugopal )  
learned Standing Counsel for Railways

ORDER

Mr. T.V. Ramanan, Member (A)

Admit.

We have heard Shri Jagadesh appearing for  
counsel for the applicant Shri Ravivarma Kumar  
and also Shri A.N. Venugopal, counsel for the  
Railways. Learned counsel for the Railways made  
a submission contesting the submission made by



Shri Jagadish stating that the mother of the applicant, Shri Arunkumar, has been an employee of the Railways, although as a Sweeper, and that she not only receives her salary but also a family pension due to her late husband Yesu Prasad. Further, all the retirement benefits in respect of Yesu Prasad have been made over to her and also to the other wife of Shri Yesu Prasad, namely, Smt. Narasamma. It was also brought to our notice that the applicant happens to be the only son of his parents i.e. son of Shri Yesu Prasad through Chinamma (Smt. Narasamma having no child of her own).

3. After hearing both the learned counsel, we find that the dependents of late Shri Yesu Prasad namely his wife Chinamma and also the other wife Narasamma were already employed with the Railways at the time of passing away of Shri Yesu Prasad. It was further brought to our notice that Smt. Narasamma is now no more.

4. On a representation made by the applicant to the Railway authorities in 1990 (Annexure A-5), he received a reply from the authorities (Annexure A-6) simply mentioning that his request for appointment on compassionate grounds had been examined by the competent authority but the same had not been agreed to. This reply to the representation is far too curt and cryptic to convey as to what were the grounds that weighed with the competent authority to reject the request of the applicant. Even to us, it is not clear as to why the applicant has been refused employment on compassionate grounds. We, therefore, quash the order at Annexure A-6 and direct

the Chief Personnel Officer, Southern Railways, R-2 herein, to consider the representation afresh and pass a speaking order and to take an objective decision. This should be done within a period of three months from the date of receipt of a copy of this order by R-2. No order as to costs.

Sd-

( T.V. RAMANAN )  
MEMBER (A)

Sd-

( P.K. SHYAMSUNDAR )  
VICE CHAIRMAN



TRUE COPY

Sd- Shyam Sundar

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE