

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated:- 26 JUL 1994

APPLICATION NUMBER: 279/1994

APPLICANTS:

Sri. Marikrao Vittabao Kulkarni and
another
To

RESPONDENTS:

Junctional Railway Manager,
Central Railway, Solapur.

- ① Sri. M. Raghavendrachar, Advocate, no. 1074 & 75,
2nd main, Furuk cross, Shivajinagar, Bangalore-50.
- ② Sri. A. M. Venugopalagouda, Advocate, no. 8/2, Upstairs-
R.V. Road, Bangalore-560004

Subject:- Forwarding of copies of the Orders passed by the
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/
~~STAY ORDER/INTERIM ORDER~~, passed by this Tribunal in the above
mentioned application(s) on 18-07-94

Issued on
27/7/94
R

o/c for R. Shanmugan
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

APPLICATION NO. 279/1994

DATED THIS THE EIGHTEENTH DAY OF JULY, 1994

Mr. Justice P.K. Shyamsundar, Vice Chairman

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

1. Shri Manik Rao Vittal Rao Kulkarni
Aged about 55 years
C/o. M.V. Dhamur
LIC Agent, Raghavendra Colony
GULBARGA.

2. Shri S.M. Kulkarni
S/o. M.V. Kulkarni
C/o. M.V. Dhamur
LIC Agent, Gulbarga.

.... Applicant

by
(Shri M.R. Achar, Advocate)

Vs.

The Divisional Railway Manager
Central Railway, Sholapur.

.... Respondent

by
(Shri A.N. Venugopal, Advocate)

O R D E R

(Mr. Justice P.K. Shyamsundar,
Vice Chairman)

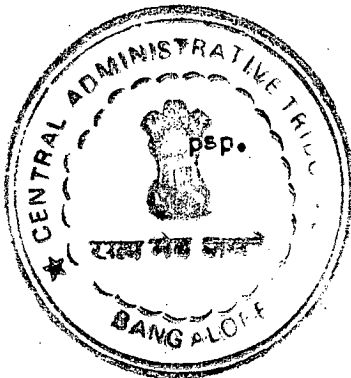
Heard the learned counsel. We see no reason for directing the Railways give some employment to the applicant's son. After completing 32 years of service he has taken voluntary retirement. He was however frequently falling ill because of diabetes and hypertensive conditions. The fact remains, he retired after 32 years and also without waiting for a nod from the administration vis-a-vis motion for voluntary retirement. Under the rules, provision exists for appointment on compassionate grounds to wards of Railway employees who



expire or were medically incapacitated while in service. That situation does not arise in this case, because the man retired after serving for 32 years resulting in acquiring the right to retire at his option. If he had been suffering from hypertension and diabetes he probably was under treatment. The Railways had not said anywhere that he was unfit for continuance in service. The applicant had only about 3 years before superannuation. In this situation he cannot seek employment for his son on compassionate grounds after having retired voluntarily on medical grounds. His request for employment of his son is, therefore, not tenable. Hence, it is, we dismiss this application. No costs.

Sch
Wm
(T.V. RAMANAN)
MEMBER(A)

Sch
(P.K. SHYAMSUNDAR)
VICE CHAIRMAN



TRUE COPY
S. S. Shauhar
SECTION OFFICER 26/7
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE