

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.1096/97

Dated this,                      the 12 th day of December, 2001.

Shri D.N.Nag,  
(Applicant by none)

... Applicant

Versus

UOI & Ors.

...

Respondents

(Respondents by Shri V.S. Masurkar, Advocate)

CORAM:

HON'BLE SHRI S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE SHRI S.L.JAIN, MEMBER (J)

- (1) To be referred to the Reporter or not? *No*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *No*
- (3) Library. *✓*

*S.R. Adige*  
(S.R. Adige)  
Vice Chairman (A)

sj\*

**CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.**

Original Application No. 1096/97

Dated the 12th December, 2001.

**CORAM: HON'BLE SHRI S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE SHRI S.L.JAIN, MEMBER (J)**

Shri Deenabandhu N.Nag,  
aged about 26 years,  
residing at C/o. Permanent Way  
Inspector, Central Railway,  
Washi.

..... Applicant.

(Not represented)

v.s

1. The Union of India through  
the General Manager,  
Central Railway, Mumbai,  
C.S.T.
2. The Divisional Railway Manager,  
Central Railway, Mumbai,  
C.S.T.
3. The Chief Personnel Officer,  
(Engineering/Constructions)  
Central Railway, Mumbai,  
C.S.T.

..... Respondents

(Respondents by Shri V.S. Masurkar, Adv.)

**O R D E R (ORAL)**

[Per: S.R.Adige, Vice Chairman (A)]:

Applicant impugnes respondent's order dated 19.1.1993 rejecting his case for compassionate appointment. Shri D.V. Gangal who was applicant's counsel earlier had withdrawn from the case, and notice was ordered to be issued to applicant on 25.10.2001 to engage a fresh counsel, if so advised. The Notice was issued on 12.11.2001 by registered post and 30 days lapsed since that date and must be deemed to have been served under CAT Procedural Rules.

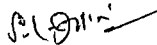
2. However, applicant did not appear when the case was called out and none appeared on his behalf either. Shri V.S. Masurkar appeared for the respondents and has been heard.


...2/-

3. We are therefore disposing of this OA after perusing the pleadings and hearing Shri Masurkar.

4. We note applicant's father had unfortunately expired on 15.8.1991 ;and applicant's claim for compassionate appointment was rejected on 19.1.1993. The present O.A. has been filed on 22.1.1997 i.e. after a lapse of nearly 5 years and is, therefore grossly time barred and hit by limitation under ~~Rule~~ <sup>Section</sup> 21 A.T. Act. That apart it is not denied that applicant's mother is a permanent Railway Employee who has been working under CPWI, Byculla since well over 10 years, and under the circumstance, respondents cannot be faulted for rejecting applicant's claim for compassionate appointment.

5. O.A. is dismissed. No costs.

  
(S.L.Jain)  
Member(J)

  
(S.R.Adige)  
Vice Chairman (A)

sj\*