

(61)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1386 OF 1996

DATE OF ORDER: 3rd JULY, 1997

BETWEEN:

B.VIJAYALAKSHMI

.. APPLICANT

AND

1. Union of India represented by its General Manager, South Central Railway, Secunderabad 500003,
2. The Divisional Railway Manager, S.C.Railway, Vijayawada Divn, Krishna District.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.G.RAMACHANDRA RAO

COUNSEL FOR THE RESPONDENTS: Mr.J.R.GOPALA RAO, Addl.CGSC

CORAM:

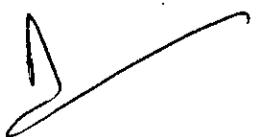
HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.G.Ramachandra Rao, learned counsel for the applicant and Mr.Phalguna Rao for Mr.J.R.Gopala Rao, learned standing counsel for the respondents.

2. The applicant in this OA is the wife of one late B.Chennakesava Rao who was medically unfitted and discharged from service with effect from 31.7.90. Later the said Mr.Chennakesava Rao applied for compassionate



ground appointment to his daughter. As his daughter was a minor, Mr.Chennakesava Rao was informed to approach after his daughter becomes major. Subsequently, the Railway administration asked the applicant and her husband to nominate a male person in accordance with law if they require compassionate ground appointment. As there was no son to the applicant, they have asked for compassionate ground appointment to one Mr.K.Jonah, nephew of the deceased Railway employee. But that was not agreed to. Later the compassionate ground appointment to his daughter also was not agreed to on the pretext that there were no enough vacancies to employ ladies. Subsequently the daughter of the applicant got married and hence her case for compassionate ground appointment was rejected on the ground that the married daughters are not eligible for compassionate ground appointment. Thereafter, the applicant filed a representation dated NIL (Annexure-VII at page 15 to the OA) requesting for a job on compassionate ground to her in case her nephew (who happened to be her son-in-law after his marriage with her daughter) cannot be given compassionate ground appointment. But that request was rejected by the impugned order No.B/P.Con.564/137/90 dated 19.6.96 (Annexure-VIII at page 17 to the OA). Hence this OA is filed for granting her compassionate ground appointment in the Railways.

3. I find from the correspondence that all the time the applicant was knocking at the door of the Divisional Railway Manager, South Central Railway, Vijayawada Division for compassionate ground appointment. It appears that at

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no time she had approached the General Manager, South Central Railway, Secunderabad who is the final authority in the Railways for grant of compassionate ground appointment. Under these circumstances, I feel that it will be appropriate for her to approach the General Manager, South Central Railway for the relief asked for in this OA. In that view, I feel that it is premature to express any opinion in this OA.

4. In view of what is stated above, the applicant, if so advised, may approach the General Manager, South Central Railway, Secunderabad for the relief prayed for in this OA. The General Manager, if such a request is received, will consider her case in accordance with law and reply her suitably and expeditiously.

5. The applicant no doubt can take remedial course as available to her in law if her request to the General Manager is rejected.

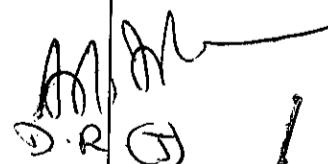
6. The OA is ordered accordingly. No order as to costs.



(R.RANGARAJAN)
MEMBER (ADMN.)

DATED:- 3rd July, 1997
Dictated in the open court.

vsn



5.4.8

Copy to:

1. The General Manager, South Central Railway, Secunderabad.
2. The Divisional Railway Manager, South Central Railway, Vijayawada Division, Krishna District.
3. One copy to Mr.G.Ramachandra Rao, Advocate,CAT,Hyderabad.
4. One copy to Mr.J.R.Gopal Rao, Addl.CGSC,CAT,Hyderabad.
5. One copy to D.R(A),CAT,Hyderabad.
6. One duplicate Copy.

YLKR

24/7/97
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HYDRAWD BENCH

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDRAWD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 3/7/97

ORDER/JUDGEMENT

M.L./R.A./C.A./NO.

O.M.U.C. 1386/96

Admitall and Dispremidirections
issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकारी
Central Administrative Tribunal

SET/DESPATCH

21 JUL 1997

हृषीकेश धार्मिक
HYDERABAD BENCH