

(48) (29)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD.
O.A.NO.479 of 1996.

Between

Dated: 19.4.1996.

N.Shankar Singh

...

Applicant

And

1. The Divisional Manager, South Central Railway, Guntakal.
2. Senior Divisional Personal Officer, South Central Railway, Guntakal.

...

Respondents

Counsel for the Applicant : Sri. P.V.S.S.S.Rama Rao

Counsel for the Respondents : Sri. K.Siva Reddy, SC for Rlys.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd: ...2/-

C.A. 479/96.

Dt. of Decision : 19-04-96.

ORDER

I As per Hon'ble Shri R. Rangarajan, Member (Admn.) I

The applicant in this case is Son of Shri Krishna Singh, who worked as Chief Clerk, Personal Branch, SC Railway, Guntakal Division. It is stated that the whereabouts of Shri Krishna Singh was not known from April 1990. At the time of the reported missing, Shri Krishna Singh had put in about 32 years of service in the railways.

2. OA. 1445/93 was filed on the file of this Tribunal which was disposed of on 19-08-94. The operative portion of the direction in that OA reads as below:-

"In view of the aforesaid, this OA is disposed of with a direction to the respondents to take action to annul the award of dismissal from service in accordance with the rules and in terms of the Railway Board Policy letter dated 22-8-91 and to further consider the case of the applicant for compassionate ground appointment taking the financial status of the family and other relevant matters into consideration. In case, R-1 is not competent to grant compassionate ground appointment, he may send the case to the competent authority for a decision on the lines indicated above. The above direction shall be complied with within a period of five months from the date of receipt of the judgement".

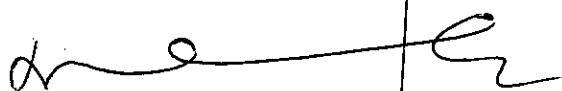
3. The applicant thereafter filed a representation 29-3-95 (Annexure A-5) to R-2 for appointing him on compassionate ground on account of the fact that his father's where about was not traced. But it is stated that the representation is not disposed of yet.

4. In compassionate ground appointment, time is essence. If the Tribunal waits for the reply it will take considerable time and even after receipt of the reply a direction can only be given to consider the case on the basis of the fact. In order to cut short the delay in such cases it is preferable to dispose of the OA with a direction to consider the case for compassionate ground appointment on the basis of the representation and also taking other factors which are relevant in this case mentioned in this OA.

5. In view of the above, the following direction is given:-

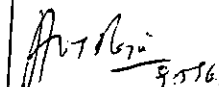
R-2 should dispose of the representation of the applicant dated 29-03-1995(Annexure A-5) in accordance with rules within a period of three months from the date of receipt of a copy of this order. While doing so he may take note of the averments made in this OA. If the applicant, is going to be aggrieved by the reply to be given by the respondents he is free to approach this Tribunal by filing a fresh OA under section 19 of the A.T. Act.

6. The OA is ordered accordingly at the admission stage itself. No costs.



(R. Rangarajan)
Member(Admn.)

Dated : The 19th April 1996.
(Dictated in Open Court)


DY. Registrar (S)

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1. The Divisional ~~XXXX~~ Manager, South Central Railway, Guntakal.
2. Senior Divisional Personal Officer, South Central Railway, Guntakal.
3. One copy to Sri. P.V.S.S.S.Rama Rao, advocate, S-9-22/1/1, 304-Ashok Chambers, Adarshnagar, Hyd.
4. One copy to Sri. K.Siva Reddy, SC for Rlys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 19/6/96

~~ORDER~~ JUDGEMENT

M.A. NO/R.A/G.A. No.

B.A. NO.

IN
479/96

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

NOTE: Original to be sent to
h.r.
NO spare copy

