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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.753 of 1996

DATE OF ORDER: 26.6.96

BETWEEN:

B.Yellaiah .. Applicant

and

1. Union of India rep. by its  
General Manager,  
South Central Railway,  
Secunderabad,

2. The Chief Workshop Engineer,  
S.C.Railway,  
Secunderabad,

3. The Addl. Chief Mechanical Engineer,  
S.C.Railway,  
Secunderabad.

.. Respondents

COUNSEL FOR THE APPLICANTS: Shri J.M.NAIDU

COUNSEL FOR THE RESPONDENTS: SHRI V.BHIMANNA, Addl.CGSC

CORAM:

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

JUDGEMENT

Heard Shri Raju for Shri J.M.Naidu, learned  
counsel for the applicant and Shri V.Bhimanna, learned  
standing counsel for the respondents.

2. This OA is filed praying for declaration that the  
inaction on the part of the respondents in considering the  
representation dated 25.1.95 (Annexure I at page 7 of the  
OA) of the applicant for grant of compassionate pension  
(allowance) as illegal, arbitrary and violative of Articles

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14 and 16 of the Constitution of India and for consequential direction to the respondents to consider the case of the applicant for grant of compassionate pension (compassionate allowance) forthwith.

3. The applicant was removed from service with effect from 17.10.81 vide proceedings No.P1/APP/08188 dated 14.10.1981 (Annexure III at page 11). His appeals and mercy petition were also dismissed. By the representation dated 25.1.95 (Annexure I), he requested for grant of compassionate pension stating that he was removed from service for the unauthorised absence and removal ~~and~~ the unauthorised absence is not a bar for granting compassionate allowance. From the prayer, it is evident that the applicant wants his representation dated 25.1.95 to be disposed of in accordance with the rules. In view of the above, no further adjudication is necessary in this OA except to give direction to the respondents to dispose of the representation of the applicant dated 25.1.95 in accordance with law expeditiously.

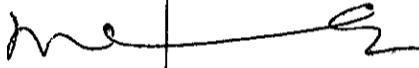
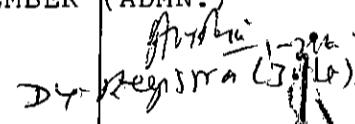
4. The learned standing counsel for the respondents submitted that the OA may be disposed of giving direction as above. Though Shri Raju who was representing Shri J.M.Naidu, learned counsel for the applicant prayed to hear this case after a week as Shri Naidu is not available, no useful purpose will be served if the case is adjourned to next week as the prayer in this OA is only for expeditious disposal of the representation of the applicant dated 25.1.95.

all

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

R-1 should dispose of the representation of the applicant dated 25.1.95 (Annexure I) in accordance with law within a period of three months from the date of receipt of a copy of this order.

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

  
(R. RANGARAJAN)  
MEMBER (ADMN.)  
  
D.Y. Regima (G.I.L.)

DATED: 26th June, 1996  
Open court dictation.

vsn

(25)

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Copy to:-

1. The General Manager, South Central Railway, Union of India, Secunderabad. (along with one copy)
2. The Chief Workshop Engineer, S.C.Railway, Secunderabad. (along with one copy)
3. The Addl. Chief Mechanical Engineer, South Central Railway, Secunderabad. (along with one copy)
4. One copy to Sri. J.MNaidu, advocate, CAT, Hyd.
5. One copy to Sri. V.Bhimanna, SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

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COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 26/6/96

ORDER/JUDGEMENT

O.A. NO. /R.A. /C.P. NO.

O.A. NO.

753/46

~~ADMITTED AND INTERIM DIRECTIONS ISSUED~~

~~ALLOWED~~

~~DISPOSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

YLR

II COURT

NO Spare Copy

