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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

D.A.No.401 OF 1999

DATE OF ORDER:30-3-1999.

BETWEEN:

Nakka Bharathi Devi.Applicant

and

1. Union of India, represented by
Secretary, Railway Board, Rail
Bhavan, New Delhi.
2. General Manager, South Central
Railway, Rail Nilayam, Secunderabad.
3. Divisional Railway Manager,
South Central Railway, Vijayawada.

.....Respondents

COUNSEL FOR THE APPLICANT :: Mr.G.V.Subba Rao

COUNSEL FOR THE RESPONDENTS:: Mr.K.Siva Reddy

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.G.V.Subba Rao, learned Counsel for the
Applicant and Mr.K.Siva Reddy, learned Standing Counsel
for the Respondents.

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2. The applicant herein is the daughter of a deceased employee Sri N.Venkateswarlu, who worked as a Peon in the Divisional Mechanical Engineer's office, and who died while in service on 3-10-1966. As she was not matured, she ~~has~~ waited till she attained the age of 18 and later started proceedings for appointing her on compassionate grounds. But the applicant had not achieved any relief.

3. In view of the above, this OA is filed praying for a direction to the respondents to produce the correspondence exchanged between the applicant and the Railway Board and for a consequential direction to the respondents to appoint her on compassionate grounds by declaring that non-consideration of her case on compassionate grounds is illegal, arbitrary and unconstitutional, and whereas similarly placed children of deceased Railway employees have been ^{ed} appointment on compassionate grounds notwithstanding the interval between the death of the employee and attainment of majority.

4. The compassionate ground appointments are given to tide over the indigent circumstances in which a family is placed after the death of the ~~an~~ employee. As per the Scheme, the belated cases have to be considered on the positiveness of each case. In this OA, there appears to be no reason for waiting

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till the applicant became major. There is no reason given for the wife of the deceased employee for not approaching the respondents Organisation for compassionate ground appointment. It is only stated that the second wife of the deceased approached the authorities but she was not replied subsequently. If so, then it is the second wife who should have challenged the inaction on the part of the respondents.

5. However, they exceeded/ approaching the Railway Administration Board. In cases which exceeds a considerable period of time after the death of the Railway employee for compassionate ground appointment, the applicant may take recourse to ~~that relief~~ and approach the Railway Board, if she is so advised.

6. In view of the above, the OA is disposed of with no Orders.


(B.S.JAI PARAMESHWAR)

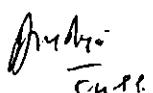

(R.RANGARAJAN)

MEMBER (ADMN)

Dated: this the 30th day of March, 1999

Dictated to steno in the Open Court

DSN


Amulya
Suresh