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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.461/99

Date of Order : 3.12.99

BETWEEN :

M.Lurdhu Mary

.. Applicant.

AND

1. The General Manager,
S.C.Railway, 3rd Floor,
Rail Nilayam, Secunderabad.

2. The Divisional Engineer (West),
S.C.Railway, Divisional Offices,
Guntakal.

.. Respondents.

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Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.C.V.Malla Reddy

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CORAM :

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

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O R D E R

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

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Mr.S.Ramakrishna Rao, learned counsel for the
applicant and Mr.Venugopal for Mr.C.V.Malla Reddy, learned
standing counsel for the respondents.

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2. The applicant is the widow of one Sri M. Anthony cleaner in loco shed staff canteen, Guntakal. His services were regularised w.e.f. 1.4.90 and he died on 20.9.93. The applicant has paid Rs.15,000/- towards Group Insurance and Rs.1275/- family pension. She submitted a representation on 10.2.96 seeking appointment in her favour on compassionate grounds.

3. This OA is filed praying for a direction to the respondents to process and consider the case of the applicant for appointment on compassionate grounds in any class-IV post in view of the circumstances of her husband's untimely death and as per the Railway Board's letter No.E (NG)1/81/EC-1/251; dated 6.2.82, 24.5.82 and 27.12.83 declaring the ⁱⁿaction of the respondents is arbitrary, unwarranted and for a consequential direction to the respondents to appoint her in any class IV post as she is placed in the indigent circumstances.

4. The facts of this case has been accepted. However, it is stated in the reply that the applicant has submitted an application dated 10.2.96 seeking appointment α in her favour on compassionate grounds. The genuineness of the case has been inquired into and it has found that the certificate produced by the applicant in support of her educational qualification is not genuine from ^{the institute from} which TC was supposed to have been issued (A-2). Hence her explanation ^{was called for} for having




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submitted a false certificate dated 19.7.99. It is further stated that no reply has been received from the applicant so far. Her case can be considered soon after the reply has been received and a firm decision will be taken in this connection.

5. The applicant submits that she has submitted a reply after filing of the reply. No decision has been taken.

6. In view of the above the case of the applicant should be considered on the basis of the reply received from her and a firm decision should be taken in regard to her appointment on compassionate grounds. A suitable reply either accepting her request for compassionate ground appointment or otherwise should be issued to her within a period of 2 months from the date of receipt of a copy of this order. The applicant is at liberty to challenge the reply if she is aggrieved by the same in accordance with the law.

7. The OA is ordered accordingly. No costs.


(R. RANGARAJAN)
Member (Admn.)

Dated : 3rd December, 1999
(Dictated in Open Court)


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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH.
HYDERABAD.

1ST AND 2ND COURT

COPY TO.

1. HON'BLE
2. HON'BLE M (ADMN)
3. HON'BLE M. (JUDL)
4. D.R. (ADMN)
5. SPARE
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPILED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE OH. NASIR
VICE-CHAIRMAN

THE HON'BLE MR. R. RANGARAJAN
MEMBER (ADMN.)

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

DATE OF ORDER 3/12/99

MA/RA/CP.NO.

IN

CA.NO. 461/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP CLOSED

RA CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

