

Date of Decision: 12.3.97

OA 361/95

Heera Lal and Prem Chand s/o Shri Bhura Ram, r/o Village Dodwadiyon ka Bas,
Post Sanodiya Via Phulera, Distt. Jaipur.

... Applicants

Versus

1. Union of India through the General Manager, Western Railway, Churchgate, Bombay.
2. The Divisional Railway Manager, Western Railway, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER.

For the Applicants

... Mr.P.P.Mathur, brief holder for
Mr.R.N.Mathur

For the Respondents

...

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicants, Heera Lal and Prem Chand, in this application u/s 19 of the Administrative Tribunals Act, 1985, have claimed a direction to the respondents to pay provident fund, gratuity and insurance, with interest, to them as also for giving appointment to applicant No.2 on compassionate grounds.

2. The case of the applicants is that their father, Shri Bhura Ram, was employed as Gangman No.37 in the Jaipur Division of the Western Railway. He was posted at Phulera. He had gone to Bombay on official duty. At Bombay, he had fallen ill. He was admitted in the hospital at Phulera in the year 1975 but he disappeared therefrom. Applicants then were of tender age. They were brought up by their grandmother, who expired in 1981. The applicants are in an extremely indigent condition and since the father of the applicants was a substantive employee of the respondents and was a subscriber of the provident fund, the applicants are entitled to receive the provident fund and also insurance money, if any, and gratuity etc. The applicants state that they are also entitled to get an ex-gratia amount.


3. We have heard Mr.P.P.Mathur, brief holder for Mr.R.N.Mathur, counsel for the applicants, and have perused the records.

4. It is stated on behalf of the applicants that they want to make a representation in regard to their grievance to the concerned authority. This

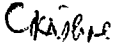
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application is, therefore, not pressed on merits.

5. This OA is, therefore, disposed of with a direction to the respondents to decide the representation of the applicants within a period of three months from the date of its receipt provided the applicants make a representation within a month of this order. The applicants shall be free to file a fresh OA, if so advised, after any decision is taken on their representation.


(O.P. SHARMA)

ADMINISTRATIVE MEMBER


(GOPAL KRISHNA)
VICE CHAIRMAN

VK