

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

DATE OF ORDER : 17.04.2002

OA 168/2002 & MA 142/2002

Naresh son of Shri Sannoo (Retired Senior Pointsman, Western Railway, Kota Division, Kota) aged about 25 years, resident of Behind Retired Railway Employees' Colony, Shyamgarh, District Mandsaur, Kota Division.

....Applicant.

VERSUS

1. The Union of India through General Manager, Western Railway, Churchgate Mumbai.
2. The Divisional Railway Manager (Estt), Western Railway, Kota Division, Kota.

...Respondents.

Mr. P.V. Calla, Counsel for the applicant.

CORAM

Hon'ble Mr. Justice O.P. Garg, Vice Chairman.

Hon'ble Mr. A.P. Nagrath, Member (Administrative)

ORDER

PER HON'BLE MR. A.P. NAGRATH, MEMBER (ADMINISTRATIVE)

The father of the applicant was medically decategorised. No alternative appointment was offered to him. He retired on medical grounds on 12.10.95. The applicant submitted his request for appointment on compassionate grounds vide Annexure A/3. This request has been rejected vide order dated 7.2.97 (Annexure A/1) by the Divisional authorities without assigning any reasons. The learned

counsel for the applicant submits that the matter falls within the purview of General Manager's authority and it was not open to the DRM to take a decision in the matter. His request is that that direction could be issued to the General Manager to decide the request of the applicant for appointment on compassionate grounds on merits.

2. MA 142/2002 has been filed by the applicant with the prayer that the delay in filing this OA be condoned. In view of the submissions made by the learned counsel for the applicant, we condone the delay in filing this OA. The MA stands disposed of accordingly.

3. After hearing the learned counsel for the applicant, we are inclined to dispose of this OA finally at this stage. We direct the applicant to submit his fresh application for appointment on compassionate grounds through the Divisional Railway Manager within one month from the date of this order. On receipt of the said representation, respondent No. 1, Western Railway, General Manager shall take a decision on this request by a reasoned & speaking order within two months thereafter. The decision so taken shall be communicated to the applicant within a period of two weeks thereafter. OA stands disposed of accordingly.

lwp
(A.P. NAGRATH)
MEMBER (A)

ct
(O.P. GARG)
VICE CHAIRMAN

AHQ