

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR  
OA 44/2003

DATE OF ORDER: 5.2.2003

1. Moolia son of Poonjia aged about 43 years, Gangman, CPWI(c), Resident of Temporary Shed, Loco Colony, Jaipur, North Western Railway.
  2. Babla son of Moolia aged about 23 years, resident of Temporary Shed, Loco Colony, Jaipur, North Western Railway.
- ... Applicants.

VERSUS

1. Union of India through General Manager, North Western Railway, Jaipur.
  2. Chief Project Manager (Construction Unit), Western Railway, North Western Railway, Opposite Railway Hospital, Jaipur (Rajasthan).
- .... Respondents

Mr. Nand Kishore, Counsel for the applicant.

CORAM:

Hon'ble Mr. H.O. Gupta, Member (Administrative)

Hon'ble Mr. M.L. Chauhan, Member (Judicial)

ORDER (ORAL)

In this OA, the applicants have prayed for appropriate directions to the respondents to give appointment to applicant No. 2, on compassionate grounds.

2. Heard the learned counsel for the applicants. The main grounds taken by the applicants are that the deceased mother has left two sons, aged 23 years and 21 years, including the applicant No. 2, and three minor & unmarried daughters. The

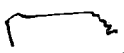
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applicant No. 2 has spent lot of money for treatment of his mother before her death. The learned counsel for the applicants submits that the family does not <sup>have any</sup> moveable property or other source of income. He has made a representation dated 3.12.2001 followed by a notice of demand of justice dated 27.5.2002. Neither reply has been received on the representations nor compassionate appointment has been granted to the applicant No. 2.

3. Without going into the merits of the case, we feel that the representation of the applicant should be first decided. Accordingly, the OA is disposed of at the admission stage itself with the direction to the applicant to file a fresh representation to respondent No. 2 alongwith a copy of this order, within fifteen days from today and by Speed Post in order to avoid delay. In that event, respondent No. 2 is directed to consider the case of the applicant and <sup>if merits</sup> grant suitable appointment as per rules within six months from the date of receipt of the representation from the applicant. In case it is found that applicant's case is devoid of merit, a reasoned order in this regard will be issued by respondent no. 2 within the said period.



(M.L. CHAUHAN)  
MEMBER (J)

  
(H.O. GUPTA)  
MEMBER (A)