

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 880 of 2005

Indote this the 18th day of October 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Raj Kumar Singh, son of late Shri
Shyam Singh Sukhnandi, R/o. H. No.
329, East Belbag Ward, Jabalpur (MP). Applicant

(By Advocate – Shri S.R. Singh)

Versus

Union of India, through :

- (A) The Secretary, Ministry of Rail,
Govt. of India, New Delhi.
- (B) The Chairman, Railway Board,
Church Gate, Bombay (MS).
- (C) The General Manager, West and
Central Railway, Jabalpur (MP).
- (D) The Divisional Rail Manager (Karmik),
Office of the Divisional Rail Manager,
Jabalpur (MP). Respondents

ORDER

By Madan Mohan, Judicial Member –

By filing this Original Application the applicant has claimed the following main reliefs :

“(a) the respondent should be directed to pay all the arrears of dues amounts to be paid to the applicant and his sister Smt. Sumitra Bai as shown in para 4C with adequate interest of Rs. 12% per annum till final payment,

(b) the respondent may be directed by this Hon'ble Tribunal to appoint the applicant on compassionate ground under their





establishment by waiving the conditions of departmental rules since has affected due to the mischief of the departmental and debarred the application from the same appointment."

2. Heard the learned counsel for the applicant.

3. The brief facts of the case are that the father of the applicant late Shyam Singh was working as Permanent Fireman in the Loco Shed of Railway Department at Jabalpur and during service he died on 22.8.1981. The applicant has sought relief for direction to the respondents to pay all the arrears of due amount to be paid to the applicant and his sister Smt. Sumitra Bai with interest and also sought direction to the respondents to appoint the applicant on compassionate ground. Admittedly, the father of the applicant late Shyam Singh died in the year 1981 i.e. before about 24 years back. Compassionate appointment is not a matter of right and as per the latest view of the Hon'ble Supreme Court it is granted to the family of the deceased Government servant to meet out the immediate financial crises caused due to the sudden death of the sole bread earner. We have perused Annexure A-15 dated 6.4.2004 and in which it is mentioned by the respondents that they have made the payment of the retrial dues of late Shyam Singh to the applicant and his sister. The applicant could not show us any cogent reason for filing this Original Application after 24 years. Normally the concerned documents with regard to the dead and retired Government servants are weeded out after a lapse of certain period.

4. In view of the aforesaid, we find that this Original Application is not maintainable and is liable to be rejected. Accordingly, the same is rejected at the admission stage itself.


(Madan Mohan)
Judicial Member


(M.P. Singh)
Vice Chairman