

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
CIRCUIT COURT SITTING AT BILASPUR**

Original Applications No 891 of 2005

Bilaspur, this the 22nd day of September, 2005.

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

**Smt. Peela Bai
W/o Late Shri Kalaram
Aged about 45 years,
House Wife,
Residing at : C/o Chedilal,
Trolleyman, Rly Qr.No.34/2,
Railway Colony, Bhatapara
Dist. Balodabazar (CG)**

Applicant

(By Advocate – Shri B.P.Rao)

VERSUS

**1. Union of India,
Through : The General Manager,
South East Central Railway,
Bilaspur Zone, G.M. Office,
PO Bilaspur
Tehsil & District : Bilaspur (CG).**

**2. The Divisional Railway Manager,
South East Central Railway,
Bilaspur Division, Bilaspur
Tehsil & District : Bilaspur (CG)**

Respondents

ORDER(Oral)

By M.P. Singh, Vice Chairman –

By filing this Original Application, the applicant has sought the following main relief :-

“8.2to pass another direction to the Respondent/s, to comply with the judgment and Order passed by the Hon'ble Tribunal in T.A. 136/1987 and to dispose Applicant's pending representation dated 20.5.1989 (Annexure A-4) to consider the Applicant's case for compassionate ground Appointment in Railways.”



2. The brief facts of the case as stated by the applicant are that husband of the applicant was working as Gangman with the respondent-railway. He died in harness on 20.11.1980. The applicant has claimed that she is second wife of the deceased Government servant. She preferred a Civil Appeal No. 34A/1984 in the Court of First Additional Judge to the Court of District Judge Bilaspur, which was transferred to this Tribunal under the provisions of Section 29 of Administrative Tribunals Act, 1985. The Tribunal vide order dated 29.4.1988 (Annexure-A-1) has disposed of the aforesaid TA by directing the respondents "to consider relaxation of the existing circulars to permit appointment of one more dependent of the deceased on compassionate grounds and employment could also be offered to the plaintiff as she has to bear the responsibility of bringing up and maintaining her minor children born through deceased Kalaram irrespective of the fact whether the enquiry referred to above establishes her to be the legally married second wife of deceased Kalaram or not. This question should be examined and settled within three months of the date of communication of this order". Thereafter, the applicant has submitted representations to the respondents but there was no response from the respondents and no decision has been taken. Hence, she has approached this Tribunal.

3. Heard the learned counsel for the applicant and carefully perused the pleadings.

4. In the present OA, the applicant has sought a direction to the respondents to comply with the order passed by the Tribunal on 29.4.1988 in TA No.136/1987 i.e. after passing of 17 years. The directions were given by the Tribunal to the respondents to relax the Rule for the engagement of the applicant on the ground that she has small children born out of the deceased Government who were to be brought up. We find that the scheme of Compassionate appointment, issued by the Government of India, was introduced with an object to

20/11/80


M.P. Singh)
Vice Chairman

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