

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 145 of 2004

Jabalpur, this 23rd day of April, 2004

Hon'ble Mr. Madan Mohan, Judicial Member

1. Smt. Khillo Bai aged 40 years  
W/o Late Shri Govind Prasad.
2. Panjilal aged 26 years  
S/o Late Shri Govind Prasad  
R/o Gram Silua (Jhansi),  
Teh. Sihora, Distt - Jabalpur  
(M.P.)

APPLICANT

(By Advocate - Shri H.R. Bharti)

VERSUS

1. Union of India through  
The General Manager,  
West Central Railway,  
Jabalpur (M.P.)
2. Divisional Railway Manager  
West Central Railway, Jabalpur

RESPONDENTS

ORDER (ORAL)

By filing this OA, the applicant has sought  
the following main-reliefs :-

"8.1 be give direction to respondent No.1 i.e.  
General Manager to decide the matter as a fresh  
regarding compassionate appointment.

8.2 be quashed the arbitrary rejection order  
Annexure-A-5 of respondent No.2 which is quite  
illegal unconstitutional and unbasically.

8.3 may kindly give directions to respondent No.1  
for providing job to applicant No.2 as a compassionate  
appointment!"

2. The brief facts of the case are that the applicant  
No.1 is the wife of the deceased and the applicant No.2  
is son in law of the deceased. Both the applicants were  
live along with deceased Government servant and were fully  
depended on him. The deceased Government servant Shri  
Govind Prasad was working as Gangman and he died on  
duty on 31.1.2001. The deceased Government servant has  
only one daughter Asha Bai who has been married with

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applicant No.2 and both are them residing with the deceased Government servant along with applicant No.1. The applicant No.1 has submitted her representation dated 10.6.2001 (Annexure-A-4) for providing job to her son in law i.e. applicant No.2. The respondents have rejected the claim of the applicants vide order dated 15.10.2001 (Annexure-A-5) in which the respondents have stated that the son in law is not entitled for compassionate appointment because he is not family member of the deceased. Aggrieved by this the applicants have filed this OA claiming the aforesaid reliefs.

3. Heard the learned counsel for the applicant and perused the record.

4. The learned counsel for the applicant has drawn my attention to Annexure-A-8 and further states that in the Indian Railway Establishment Rule Chapter II Para 2,3 and 4 it is mentioned that dependent relatives even married daughters or any other blood relation, who is/are considered to be breadwinner or the family may be considered for appointment on compassionate ground. The learned counsel for the applicant has stated <sup>that</sup> the applicant No.2 is the son in law and legal heir of the deceased Government servant. He further states that the applicants want to submit a fresh representation for appointment on compassionate ground.

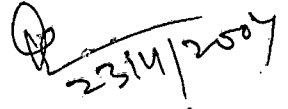
5. Keeping in view of the facts and circumstances of the case, the applicants are directed to submit a fresh representation to the respondents within one month from the date of receipt of copy of this order. If he complies with this, the respondents are directed to consider the representation of the applicant and take a decision on it



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within a period of 3 months from the date of receipt of such representation by passing a detailed and speaking order.

6. With the above direction, the OA is disposed at the admission stage itself.

  
(Madan Mohan)  
Judicial Member

SKM

पृष्ठांकन सं ओ/ब्या.....जबलपुर, दि.....

पत्तिलिपि अवधि:-

- (1) सचिव, उच्च न्यायालय कार एसोसिएशन, जबलपुर
- (2) आवेदक श्री/श्रीमती/बु.....के काउंसल MR Bharti
- (3) प्रत्यर्धी श्री/श्रीमती/बु.....के काउंसल
- (4) ग्रंथपाल, के.प्र.अ., जबलपुर न्यायपीठ  
सूचना एवं आवश्यक कार्यवाही हेतु

  
उप सचिव

*Forwarded*  
*26/4/07*