

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 576 of 2002

Jabalpur, this the 22nd day of August, 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (Judicial)  
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Smt. Triveni Bai Jharia, W/o  
Late Dwarika Prasad, aged about  
37 years, Ex. MRCL Gangman under  
PWI (North) Central Railway,  
Jabalpur Division, R/o Village-  
Fanji Padav, Tehsil Patan (Shah-  
pura Bhitoni) Distt. Jabalpur M.P

APPLICANT

(By Advocate - Shri H.R. Bharti)

VERSUS

1. Union of India through  
General Manager, Central Railway,  
Mumbai (C.S.T.)
2. Divisional Railway Manager,  
Central Railway, Jabalpur (M.P.)

RESPONDENTS

(By Advocate - Shri M.N. Banerjee)

O R D E R (ORAL)

By D.C. Verma, Vice Chairman (Judicial) -

By this application, the applicant has prayed for appointment on compassionate grounds due to death of her husband late Shri Dwarika Prasad.


2. Dwarika Prasad expired on 6.10.96. The applicant has prayed for appointment on compassionate grounds by her letter dated 20.2.97 (Annexure-R-2). The said application has not been disposed of yet.

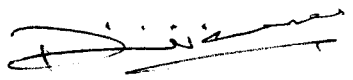
3. The learned counsel for the applicant states that as per the decision taken by the department which is annexed at Annexure-R-4 dated 31.12.86, monthly rated casual labourer are also considered on compassionate appointment and their cases are to be decided by the General Manager. But the case of the

applicant was not examined by the General Manager and the respondents have not even replied to the applicant's claim for appointment on compassionate grounds.

4. Learned counsel for the parties have been heard. We are of the view that the applicant's claim for appointment on compassionate grounds, ~~is~~ whether covered by the paramenter given in the aforesaid letter dated 31.12.36 (Annexure-R-4) can be considered only by the General Manager. Consequently, it was for the General Manager to take a decision in the matter. Admittedly the case of the applicant has not been examined by the General Manager till date .

5. Consequently, we allow this OA and direct the appropriate authority to take a decision in the claim of the applicant. If any other information is required for decision of the claim, it would be appropriate for the authority to ask the same from the applicant and thereafter to take a decision. The decision so taken shall be communicated to the applicant within a period of 6 months.

  
(Anand Kumar Bhatt)  
Administrative Member

  
(D.C. Verma)  
Vice Chairman (Judicial)


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Issued  
on 8-9-05  
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पृष्ठंकन सं ओ/न्या..... जयपुर, दि.....

पतिवितिपि अवे, दि.....

- (1) सचिव, उच्च न्यायालय एवं ए.पी.ए.ए.ए. जयपुर
  - (2) आवेदक श्री/श्रीमती/शु..... के काउंसल
  - (3) प्रत्यक्षी श्री/श्रीमती/शु..... के काउंसल
  - (4) न्यायालय, खेड़ा, जयपुर न्यायालय
- सूचना एवं आवेदक का कार्यवाही हेतु

  
H.R. Chauri Ad  
man. Banerji  
अम रजिस्ट्रार  
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