

CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR

5

---

**ORDERS OF THE BENCH**

---

**Date of Order: 01.05.2012**

OA No. 216/2012

Mr. Sajid Ali, counsel for applicant.

Heard learned counsel for the applicant.

O.A. is disposed of by a separate order on the separate sheets for the reasons recorded therein.

*K. S. Rathore*  
(JUSTICE K.S. RATHORE)  
MEMBER (J)

Kumawat

**CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR**

**ORIGINAL APPLICATION NO. 216/2012**

DATE OF ORDER: 01.05.2012

**CORAM**

**HON'BLE MR. JUSTICE K.S. RATHORE, JUDICIAL MEMBER**

Zahid Ahmed S/o late Shri Alauddin Sheikh, aged 26 years, by caste Muslim, R/o 40 Schoolpura, Prem Nagar, Chota Khatiwara, Jhansi (MP), presently residing at 109/110, Rani Colony, Niwana Road, Jhonthwara, Jaipur.

...Applicant

Mr. Sajid Ali, counsel for applicant.

**VERSUS**

1. Union of India through General Manager, North Western Railway, Jaipur, Jagpura, Jaipur.
2. The General Manager, Western Railway, Church Gate, Mumbai.
3. The Divisional Railway Manager, Ratlam Division, Western Railway, Ratlam.
4. The Divisional Railway Manager, Ajmer Division, NWR, Ajmer.

...Respondents

**ORDER (ORAL)**

The present Original Application has been preferred by the applicant praying for the following reliefs:

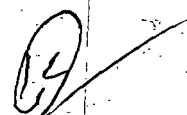
- (i) This O.A. may kindly be allowed and the respondents may be directed to give compassionate appointment to the applicant in Group 'C' post, as he is graduate and ITI holder, from the date of filing of application for compassionate appointment with all consequential benefits.
- (ii) Any other appropriate order or direction which this Hon'ble Tribunal may deem just and proper in the facts and circumstances of the case may kindly be passed in favour of the applicant.
- (c). Cost of this Original Application may kindly be awarded in favour of the applicant."



2. Brief facts of the case, as stated by the applicant, are that father of the applicant, Shri Alauddin Sheikh, while working as casual labour in Western Railway, died on 19.10.1987. At the time of death of father of the applicant, deceased was performing his duty on the electric pole at Vijay Nagar Railway Station, between Ajmer-Bhilwara Section, and died due to electric current.

3. On attaining the age of majority, the applicant applied for appointment on compassionate ground before the Divisional Railway Manager, Western Railway, Ratlam (Electric Wing) vide his application dated 16.12.2004 (Annex. A/4). Thereafter, the applicant has also sent a reminder dated 11.04.2005 (Annex. A/9) to the Divisional Railway Manager, Western Railway, Ratlam. As the respondents have not given him appointment on compassionate ground and kept the matter pending, the applicant sent a notice for demand of justice dated 25.01.2012 (Annex. A/13) through his counsel to the respondents. Thereafter, vide letter dated 24.02.2012 (Annex. A/14), the Divisional Railway Manager (Estt.), Ajmer Division, NWR, Ajmer, simply informed that the proceedings for compassionate appointment of the applicant will be done by Ratlam Division, HQ, Western Railway, Churchgate.

4. Upon careful perusal of the pleadings as well as documents, it is evident that the notice for demand of justice dated 25.01.2012 (Annex. A/13) has not been decided by the respondents so far, except informing by the Divisional Railway Manager, (Estt.), Ajmer Division, NWR, Ajmer that the



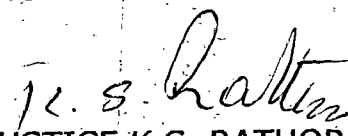
proceedings for compassionate appointment of the applicant will be done by Ratlam Division, HQ Western Railway, Churchgate.

5. Having considered the aspect that the legal notice dated 25.01.2012 (Annexure A/13) is still pending consideration before the respondents, I deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the notice for demand of justice dated 25.01.2012 (Annex. A/13) by passing a reasoned and speaking order.

6. Consequently, the respondents are directed to consider and decide the notice for demand of justice dated 25.01.2012 (Annex. A/13) by passing a reasoned and speaking order and communicate the decision so taken to the applicant expeditiously but in any case not later than a period of two months from the date of receipt of a copy of this order.

7. If any prejudicial order against the interest of the applicant is passed by the respondents, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application.

8. With these observations and directions, the Original Application stands disposed of with no order as to costs.

  
(JUSTICE K.S. RATHORE)  
MEMBER (J)