

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No. 346/2017

Ahmedabad, this the 08th day of March, 2018

Miss Pragati
Daughter of Late Pradipbhai Banveer
Age about 30 years,
Yet to be appointed on compassionate ground in
The office of the respondents.
Residing at : 20, Shreeji Appartment
Pushpakunj Society
Opp. Apsara-Aradhna Cinema
Kankaria, Ahmedabad 380 008. Applicant

(By Advocate : Shri M.S. Trivedi)

VERSUS

1. The General Manager,
Western Railway, H.Q.office,
Churchgate, Mumbai 400 020.

2. The Divisional Railway Manager
O/o. DRM, Western Railway,
Divisional Office, Ahmedabad Division,
Nr. Chamunda Bridge, Asarwa,
Ahmedabad-2. Respondents

(By Advocate : Shri M.J.Patel)

O R D E R – ORAL

Per : Hon'ble Shri J.V.Bhairavia, Member (J)

Heard Shri M.S.Trivedi, learned counsel for the applicant and Shri M.J.Patel, learned counsel for the respondents.

2. In the instant OA, the applicant has challenged the decisions dated 29.7.2016 and 20.12.2016 of the respondent No.2 by which the request of the applicant for appointment on compassionate ground was not acceded due to lack of providing proof of her dependency of the deceased employee. It is noticed that by communication dated 22.10.2016, the applicant had furnished relevant details with regard to her dependency through Western Railway Mazdoor Sangh to the office of the respondent No.1 i.e. the General Manager, Western Railway (Annexure A-3 refers). On the perusal of the order dated 20.12.2016, it reveals that without taking into consideration the details furnished by the applicant through WRMS with regard to her dependency, the respondent No.2 has passed the impugned orders.

3. At this juncture, learned counsel for the applicant submits that the applicant will be satisfied, if she is given an opportunity to furnish the details with regard to her dependency and eligibility for appointment on compassionate ground to the office of the respondent No.2 i.e. DRM, Ahmedabad Division for reconsideration of her claim for appointment on compassionate grounds. On the otherhand, learned counsel for the respondents, Shri M.J.Patel submits that if the applicant furnishes all the details, as stated by the learned counsel for the applicant and contended in the OA, the same will be considered by the respondent No.2 in accordance with the existing rules and provisions of the scheme for appointment on compassionate ground.

4. Considering the above stated factual matrix of the case as well as the submissions made by the learned counsel for both the parties, the interest of justice would be met, if the applicant is directed to furnish all the details with regard to her claim for appointment on compassionate ground within two weeks from today to the office of the respondent No.2, and on receipt of the same, the respondents are directed to consider it within eight weeks thereafter and take appropriate decision by

a speaking order without influence of the earlier decision. It is further directed that in case, if the applicant is found eligible for appointment on compassionate ground, the respondents shall pass appropriate orders to that effect and if the applicant does not meet with the requirement or found ineligible for the appointment on compassionate ground, the respondents shall communicate their decision along with speaking order to the applicant within stipulated time of eight weeks. Ordered accordingly.

5. In view of the above directions, the OA stands disposed off. No order as to costs.

(J.V.Bhairavia)

Member (J)

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