

**Central Administrative Tribunal
Principal Bench, New Delhi**

**RA-59/2016 in
OA-2025/2014**

New Delhi, this the 19th day of April, 2017

Hon'ble Mr. Shekhar Agarwal, Member (A)

Union of India through

1. The General Manager,
Northern Railway, HQ Office,
Baroda House, New Delhi.

2. The Division Railway Manager,
Northern Railway, Moradabad Division,
Moradabad (UP).

... Applicants

(By Sh. V.S.R. Krishna and Sh. A.K. Srivastava)

Versus

Jalmesh Kumar,
S/o Late Smt. Hoshyari Devi,
R/o Vill. Kapasi, Post Manota,
Distt. J.P. Nagar (Amroha), UP.

... Respondents

(By Ms. Sonika for Sh. Yogesh Sharma)

ORDER(ORAL)

This review application has been filed for review of our order dated 22.09.2015, the operative part of which reads as follows:

"In view of the aforementioned, the claim of the applicant for employment on compassionate ground is rejected. Nevertheless since the deceased Govt. servant left being five daughters, the respondents may consider the claim of one of them for giving compassionate appointment in accordance with the rules and instructions. OA stands disposed of. No cost."

2. Learned counsel for the review applicants has argued that an error apparent on the face of record has crept in the judgment inasmuch as it has been observed that the respondents may consider the claim of five daughters of the deceased government servant for compassionate appointment whereas

actually the deceased had only one daughter as per the official records. This was also not a part of the prayer and the Tribunal has travelled beyond the scope of OA while making this observation.

Proxy counsel for OA applicant (respondent in review) has submitted that she has not received any instructions from the client in this matter.

3. After hearing learned counsel for the review applicants, I am of the opinion that an error apparent on the face of the record has indeed crept into the judgment of this Tribunal which needs to be rectified.

4. Accordingly, I allow this RA and direct that Para 4 of the order shall stand modified to read as follows:

"In view of the aforementioned, the claim of the applicant for appointment on compassionate ground is rejected. OA stands disposed of. No costs."

5. A copy of modified order be made available to the parties by Registry.

**(Shekhar Agarwal)
Member (A)**

/ns/