

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. No. 350/918 of 2012.

Sri Kanaha Das, son of Late Larik,
Ex.-Trackman, under SSJD/PWA/BRB,
residing at Vill. Bastoria, P.O. -
^{P.S. Kullr}
Barakar, Dist. Burdwan 713359

.....Applicant.

-Versus-

1. Union of India, through the General
Manager, Eastern Railway, 17, Netaji
Subhas Road, Kolkata - 700 001.

2. The Senior Divisional Personnel Officer,
Eastern Railway, Asansol Division,
Asansol, Dist. Burdwan, 713301

.....Respondent.

il

O.A.No.350/918/2017

Date :31. 01.2018.

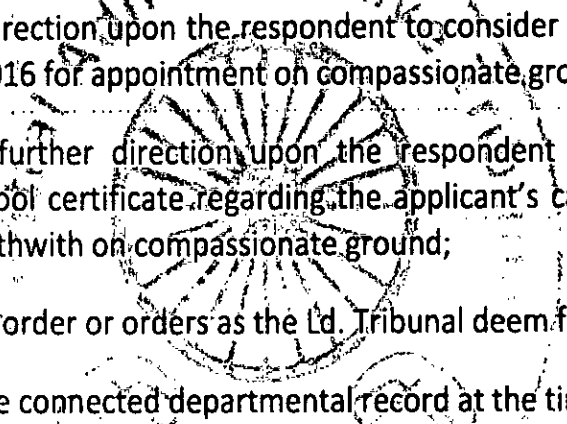
Coram : Hon'ble Mr. A.K. Patnaik, Judicial Member

For the applicant : Mr. N. Roy, counsel
Mr. S. Das, counsel

For the respondents : Mr. A.K. Guha, counsel

ORDER(Oral)**A.K. Patnaik, Judicial Member**

The instant O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-"

- 
- "a) To issue direction upon the respondent to consider the representation dated 26.12.2016 for appointment on compassionate ground forthwith;
- b) To issue further direction upon the respondent the applicant has submitted school certificate regarding the applicant's case, which may be considered forthwith on compassionate ground;
- c) Any other order or orders as the Ld. Tribunal deem fit and proper;
- d) To produce connected departmental record at the time of hearing."

2. I have heard Mr. N. Roy, Id. counsel for the applicant and Mr. A.K. Guha, Id. counsel for the respondents.

3. Brief facts of this case as narrated by Mr. N. Roy, Id. counsel for the applicant are that the father of the applicant died on 10.01.2003 and after his death the applicant submitted several representations to the Senior Divisional Personnel Officer, Eastern Railway, Asansol Division i.e. the Respondent No.2 praying for appointment on compassionate ground, but no reply has been received from the respondents till date. Mr. Roy submits that the last representation filed by the applicant is dated 26.12.2016(Annexure A/5). He



further submitted that the applicant would be satisfied if a direction is given to the Respondent No.2 to consider and dispose of his representation dated 26.12.2016(Annexure A/5) by passing a well reasoned order within a specific time frame.

4. Though no notice has been issued to the respondents, considering the submissions of Id. counsel for both sides, I think it would not be prejudicial to either of the parties if a direction is given to the respondent authorities to consider and dispose of the representation of the applicant as per rules and regulations in force within a specific time frame.

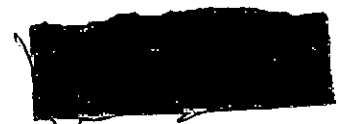
5. Accordingly the Respondent No.2 i.e. the Senior Divisional Personnel Officer, Eastern Railway, Asansol Division is directed to consider and dispose of the representation of the applicant dated 26.12.2016(Annexure A/5) by passing a well reasoned order as per rules and regulations governing the field within a period of six weeks from the date of receipt of a copy of this order and communicate the decision to the applicant forthwith. If the applicant's claim is found to be genuine then the consequential benefits shall be extended to him within a further period of six weeks from the date of taking decision in the matter.

6. It is made clear that I have not gone into the merits of the case and all the points raised in the representation are kept open for consideration by the respondent authorities as per rules and guidelines governing the field.

7. As prayed by Id. counsel for the applicant, a copy of this order along with the paper book may be transmitted to Respondent No.2 by speed post by the Registry for which the Id. counsel for the applicant undertakes to deposit the cost within one week.

WAO

8. With the above observations the O.A stands disposed of. No order as to cost.



(A.K. Patnaik)
Judicial Member

sb

