

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, 234/4 A.J.C Bose Road Nizam Palace Kolkata**

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ORDER SHEET

COURT NO. : 1

10.08.2018

M.A./350/558/2018

O.A./350/1111/2018

DIPALI CHAKRABORTY & ANOTHER
-V/S-
EASTERN RAILWAY

ITEM NO:8

FOR APPLICANTS(S) Adv. : Mr. N. Roy

FOR RESPONDENTS(S) Adv.: Mr. A.K. Banerjee

Notes of The Registry	Order of The Tribunal
	<p>ORDER(ORAL)</p> <p><u>A.K. Patnaik, Judicial Member</u></p> <p>This O.A. has been filed by the applicants under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-</p> <p>"a) To issue direction upon the respondents to consider representation dated 6.3.18 for appointment on compassionate ground forthwith;</p> <p>b) To issue further direction upon the respondents to give compassionate appointment to the applicant No.2 forthwith;</p> <p>c) Any other order or orders or further order or orders as deem fit and proper under the circumstances of the case;</p> <p>d) Leave may be granted to file joint application under Rule 4(5)(a) of the CAT procedure, 1987."</p> <p>2. The applicants have filed M.A.No.558/2018 seeking permission of this Tribunal to move the O.A. jointly under Rule 4(5)(a) of C.A.T. (Procedure) Rules, 1987.</p> <p>3. Heard Mr. N. Roy, ld. counsel for the applicants. Ld. counsel Mr. A.K.Banerjee who usually appears on behalf of the respondent authorities is present in the court. On my advice, Mr. A.K.Banerjee has appeared for the official respondents. Mr. N. Roy undertakes to serve a copy of this O.A. to Mr. Banerjee.</p> <p>4. Having heard both sides, the M.A. for joint prosecution is allowed.</p> <p>5. Brief facts of this case as narrated by Mr. N. Roy, ld. counsel for the applicants are that the father of the applicant No.2 died on 29.09.2015. Thereafter the applicant No.2 applied to the Respondent No.3 for appointment on compassionate ground vide letter dated 06.03.2018 (Annexure A/2) and submitted all the requisite documents to the authorities concerned, but no action has been taken by the</p>

(Signature)

respondents till date. Being aggrieved he has approached this Tribunal seeking the aforesaid reliefs.

6. Mr. N. Roy, Id. counsel for the applicants submitted that the applicants' grievance will be more or less satisfied if a direction is given to the Respondent No.3 to consider and dispose of the representation of the applicant dated 06.03.2018(Annexure A/2) as per rules within a specific time frame.

7. Though no notice has been issued to the respondents, I think it will not be prejudicial to either of the parties if the above prayer of the Id. counsel for the applicants is allowed.

8. Accordingly the Respondent No.3 i.e. the Workshop Personnel Officer, Eastern Railway, Kanchrapara Workshop, Kanchrapara is directed to consider and dispose of the representation of the applicant dated 06.03.2018(Annexure A/2) 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 under communication to the applicant. If the representation has already been decided in the meantime, then the result be communicated to the applicant within a period of two weeks from the date of receipt of this order. After such consideration, if the grievance of the applicants is found to be genuine, then the respondent authorities shall take expeditious steps to grant compassionate appointment to the applicant No.2 within a further period of three months from the date of taking decision in the matter.

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

10. With the above observations and directions, the O.A. stands disposed of. No cost.

11. As prayed by Id. counsel for the applicants, a copy of this order along with the paper book be transmitted to the Respondent No.3 by the Registry through speed post for which Id. counsel for the applicants undertakes to deposit the cost within one week. A free copy of this order be given to Id. counsel for the respondents.

(A.K. PATNAIK)
MEMBER (J)