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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

G.A. No. 350/1584 of 2017.

MA No. 350/883/2017

1. Smt. Buchia Devi, wife of Late Aghnoo, residing at Vill. Malahar, P.O.- Choralmuni, Dist.: Malda, West Bengal.
age and -
2. Sri Gopal, son of Late Aghnoo, Unemployed Youth, residing at Vill. - Malahar, P.O.: - Choralmuni, Dist.: - Malda, West Bengal. Age and -
22yrs

..... Applicants.

- Versus -

1. Union of India, through the General Manager, North-east Frontier Railway, Maligaon, Guwahati, Assam, Pin Code No.: 781 011.
2. The General Manager (Personnel), North-east Frontier Railway, Maligaon, Guwahati, Assam, Pin Code No.: 781 011.
3. The Divisional Railway Manager,

Contd. ...p/2.

W.L

North-east Frontier Railway.

Katihar, Bihar, Pin Code No.:-

854 105.

4. The Senior Divisional Personnel Officer,

North-east Frontier Railway, Katihar,

Bihar, Pin Code No.:- 854 105.

..... Respondents

Wd

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O A/ 350/1554/2017
M.A/350/883/2017

Date of order: 26.04.2018

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

For the applicant : Mr. N. Roy, counsel
For the respondents : None

ORDER

A. K. Patnaik , Judicial Member

This 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 respondents to give compassionate appointment to the Applicant No.2 forthwith;
- b) To issue further direction upon the respondents regarding school certificate of the applicant no.2 which has already been produced before the Competent Authority and certificate issued by the West Bengal Board of Secondary Education regarding that the appointment should be considered on compassionate ground forthwith to the Applicant No.2;
- c) To quash and/or cancel and set aside the impugned order dated 03-10-2016 alongwith 31-10-16, 02-03-17 and 01-06-17;
- d) To consider representation dated 25-05-17 regarding appointment on compassionate ground forthwith;
- e) Leave may be granted to file this original application under Rule 4(5)(a) of C.A.T. Procedure Rules, 1987."

The applicants have also filed M.A.No.350/883/2017 seeking permission to move this O.A. jointly under Rule 4(5)(a) of C.A.T.(Procedure) Rules, 1987.

2. Heard Id. counsel Mr.N. Roy, Id. counsel for the applicant. None appears for the official respondents.
3. On a perusal of the O.A. it appears that the applicant No.1 has made representations to the General Manager, N.F. Railway, Maligaon(Assam) and the

[Signature]

Chairman, Railway Board, Railway Bhavan, New Delhi who have not been made parties in this O.A., therefore, this O.A. is not maintainable in this form.

4. On being questioned as to how this O.A. is maintainable, Id. counsel for the applicants Mr. N. Roy submitted that the applicants may be given liberty to file a comprehensive representation to the General Manager, N.F. Railway, Maligaon(Assam) and the respondents may be directed to consider the same in a time bound manner.

5. Though no notice has been issued to the respondents, on sincere prayer made by Id. counsel for the applicants, liberty is given to the applicants to file a comprehensive representation to the General Manager, North Frontier Railway, Maligaon, Assam ventilating their grievances and annexing a copy of this order with the same within a period of 2 weeks from today and if such representation is filed within 2 weeks, the competent respondent authority shall consider and dispose of the same by passing a well reasoned order as per rules and regulations in force within a period of six weeks from the date of receipt of such representation from the applicants and communicate the decision to the applicants forthwith. If the claim of the applicants is found genuine, then I hope and trust that the respondent authorities shall grant them the consequential benefits 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 this case and all the points to be raised in the representation are kept open for consideration by the respondent authorities as per rules and regulations governing the field.

7. With the above observations and directions, the O. A. is disposed of.

Wife