



- 1 -

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

OA No. 350/1152/2018
Original Application No. A of 2018

An application under section 19 of the Administrative Tribunal
Act 1985;

Smt. Uma Pal

Daughter of Late Shyama Charan

Pal, residing at Village -

Ballavpara, Nimakba Zilla,

Koratala, Police Station -

Marishda, District - Purba

Medinipore, Pin - 721 440

.. Applicant..

- Versus -

1. Union of India, service through
the General Manager, South
Eastern Railway, Garden Reach,
Kolkata - 700 047

2. The Divisional Railway Manager
(P) South Eastern Railway,
Kharagpur, District - Paschim
Medinipore, Pin - 721 101.

Wd

3. Senior Divisional Personal

Officer, South Eastern Railway,

Kharagpur, District -Paschim

Medinipore, Pin - 721 101.

... Respondents.

W

CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1152/2018
M.A/350/577/2018

Date of Order: 07.01.2019

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

UMA PAL -VS- S.E RAILWAY

For the Applicant(s): Mr. A.P Deb, Counsel

For the Respondent(s): Mr. C.S Bag, Counsel

O R D E R (O R A L)

A.K Patnaik, Member (J):

Heard Mr. A.P.Deb, Ld. Counsel for the applicant.

2. No one is present on behalf of the Respondents. Since Mr. C.S.Bag, Ld. Counsel, who usually appears for S.E.Railways, is present in the Court and as I do not want the Departmental Respondents to go unrepresented, on my request, Mr. Deb has served copy of the O.A. and M.A., along with annexures, on Mr. Bag.

Heard Mr. C.S.Bag in extenso.

3. This O.A. has been filed under Section 49 of the Administrative Tribunals Act, 1985 with the following prayers:

“a) To direct the respondents to consider the case of the applicant as per observation of the Hon'ble Court in providing compassionate appointment to the applicant whose father died owing to accidental death of her father while in duty on 15.02.2008 and her mother also expired after a year on 28.02.2009.

b) To direct the respondent/competent authority in taking appropriate steps pertaining to grant of compassionate appointment to the applicant at an earliest to save the distressed family/daughter in the light of the judgement passed by the Hon'ble Supreme Court and High Court.

c) Costs or incidental to and arising out of this application

d) Any other order or orders as your Lordships may deem fit and proper by way of molding reliefs.”

4. After hearing in extenso, Mr. Deb, Ld. Counsel for the applicant, prayed liberty of this Tribunal to make representation annexing all the relevant rules as

Abd

well as judgment before Respondent Nos. 2 and 3. He further submitted that the grievance of the applicant may be redressed if such representation of the applicant is considered by the said Respondent Nos. 2 and 3 within a specific time frame.

5. After hearing Ld. Counsel for the applicant, without going into the merit of the matter, I dispose of this O.A. granting liberty to the applicant to make comprehensive representation before Respondent Nos. 2 and 3 within a period of two weeks from the date of receipt of copy of this order and in case any such representation is preferred annexing all the relevant documents within a period of two weeks from the date of receipt of copy of this order then Respondent Nos. 2 and 3 are directed to consider the same keeping in mind all the points raised in the representation as well as rules governing the field and communicate the result to the applicant in a well reasoned order within a period of six weeks from the date of receipt of the said representation. I make it clear that if after such consideration the grievance of the applicant is found to be genuine then expeditious steps be taken by the Respondents to give appointment under compassionate quota within a further period of 12 weeks from the date of such consideration.

6. With the aforesaid observation and direction, this O.A. stands disposed of.
No costs.

7. Copies of this order be handed over to the Ld. Counsel for both the parties. Applicant is granted liberty to annex a copy of this order, along with his representation to be preferred.

(A.K.Patnaik)
Member(J)