

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**OA No. 2469/2019 With
M.A No. 2681/2019**

This the 22nd day of August, 2019

Hon'ble Ms. Aradhana Johri, Member (A)

Poonam Bai,
W/o. Late Shri Dharmendra Singh
(Ex-Apprentice C& W),
Aged about 33 years,
R/o. Village Jaat Bhoorthal,
Post Office Kakodiya,
District Rewari, Haryana.Applicant

(By Advocate : Mr. B. C. Nagar)

Versus

1. Union of India through the General Manager,
Northern Railway,
Baroda House, New Delhi.

2. Division Railway Manager,
DRM's Office, State Entry Road,
New Delhi.Respondents

(By Advocate : Mr. Krishna Kant Sharma with Ms. Neha Bairagee)

O R D E R (O R A L)

The applicant Ms. Poonam Bai is the widow of late Sh. Dharmendra Singh. Father-in-law of the applicant Sh. Ricch Pal was employed as Gangman in the Railways. On his demise, the husband of the applicant Sh. Dharmendra Singh has given compassionate appointment but during the course of the training as Apprentice, he expired on 26.08.2018. The applicant applied for appointment on

compassionate grounds which was rejected vide letter dated 29.05.2019 (Annexure A/1). In this communication, RBE No. 87/2007 was quoted which reads as follows :-

“As per RBE No. 87/2007 it is clarified that, “in case a candidate appointed on compassionate ground dies becomes medically incapacitated during the course of training before he/she is regularly appointed in the Railways, another opportunity may be granted to the original ex-employee/ex-employee’s widow on whose request the dead/incapacitated trainee ward was offered appointment on compassionate ground by the administration to apply for another ward’s appointment.”

2. Accordingly, the applicants request for appointment was rejected under the existing rules.

3. This O.A has been filed citing RBE No. 90/2019 which provides for some further relaxation in case of deceased employees. The applicant has not yet approached the competent authority in the light of this RBE communication.

4. Since avenue for redressal is available, it has first to be exhausted before approaching this Tribunal through an O.A.

5. Accordingly, the O.A is dismissed. The applicant is at liberty to claim redressal, as per law in the appropriate forum. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

/Mbt/