

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

LIBRARY

OA. 785 of 2013

Date of Order: 19.07.2016.

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member

Chandra Sakhar Verma
Vs.
Union of India &Ors.(E. Rly.)

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. BK Roy, Counsel

O R D E R (Oral)

Heard both.

2. As per the Railway Servants (Pass) Rules, 1986, a brother of the Railway employee is dependent if he is under twenty one years of age, provided he resides with and is wholly dependent on the railway servant and his father is not alive. It is submitted that the applicant is the brother of the deceased Umesh Kumar Verma, Ex-DSL, Asstt. Driver/Sahebganj who died on 18.08.2000 leaving behind minor children left under his care and guardianship and the father of applicant was alive at the material time. Therefore under no circumstances the applicant would come under the ambit of Pass rules to be regarded as dependent of his brother.

3. Therefore his prayer seeking employment assistance on compassionate ground as a dependent brother would not be tenable in the eyes of law.

4. Accordingly the OA is dismissed.

5. However, the dismissal would not stand in the way of the children of the deceased employee if they wish to stake their claim.
6. OA is accordingly dismissed. No costs.

Dr.
(Bidisha Banerjee)
Member (J)

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