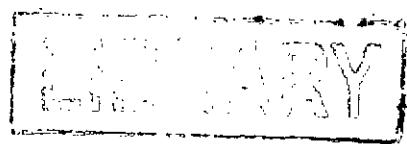


CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA



O.A. 350/00892/ 2019

Order dated: 29.07.2019

Coram : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Laxmi Rao,
Wife of K. Vankat Rao,
daughter of Late Moti Nayak,
aged about 34 years,
residing at Sahabpara Santaragachia,
Sadesh Polley, Post Office-Jagacha,
District-Howrah, Pin 711111,
West Bengal.

..... Applicant.

Versus

1. The Union of India,
through the General Manager,
South Eastern Railway,
Garden Reach Road,
Kolkata – 700 043.
2. Senior Divisional Personnel Officer,
South Eastern Railway,
Kharagpur Division,
Dist- Paschim Medinipur 721301.

..... Respondents.

For the applicant : Mr. A. Chakraborty, Counsel

For the respondents : Mr. R. K. Sharma, Sr. Standing Counsel

O R D E R (ORAL)

Per Dr. Nandita Chatterjee, Administrative Member:

The applicant has approached the Tribunal praying for the following relief:

*"An order do issue directing the respondent to consider
the case of the applicant for grant of an appointment on*

6/6

compassionate ground and to grant her appointment in group 'D' post."

2. Heard Ld. Counsel for the applicant, examined documents on record.

Matter is taken up at the admission stage. Affidavit of service is taken on record.

3. The submissions of the applicant, as advocated through her Ld. Counsel, is that her father, one Moti Nayak, an ex-employee of the Respondent authorities, had expired, while in service, on 07.06.1993. The ex-employee left behind his widow, two sons, viz. Raju Nayak and Rajesh Nayak, and three daughters. After the demise of the ex-employee, the elder son, viz. Raju Nayak, was provided with compassionate appointment. The said Raju Nayak expired on 26.10.2005. After the demise of the elder son, the second son, viz. Rajesh Nayak was thereafter extended the benefit of compassionate appointment. The said Rajesh Nayak also expired on 11.08.2017, while in service. The mother of the applicant had already expired on 18.07.2013. Hence, the applicant, who is the married daughter of the ex-employee, preferred a claim for compassionate appointment on the basis of RBE No. 79/96 as well as 66/97.

Ld. Counsel further states that a representation dated 15.05.2019 (annexed under Annexure-A/5 to the O.A.) has been preferred by the applicant before the Respondent No. (ii) and, as the same has not yet been responded to, the applicant will be fairly satisfied if a direction is issued to the concerned Respondent authority to dispose of the representation in a time bound manner.

4. Ld. Sr. Standing Counsel is present on behalf of the Respondents and does not object to disposal of the representation in accordance with law.

hsl

5. Accordingly, without entering into merits of the matter, we hereby direct Respondent No. (ii), who is the Sr. Divisional Personnel Officer, South Eastern Railway, Kharagpur Division, to examine the contents of the application, for providing compassionate appointment, dated 15.05.2019 (annexed at Annexure-A/5 to the O.A.), if received at his end, within a period of eight weeks from the date of receipt of copy of this order. The concerned authority shall decide on the representation in accordance with law and, will convey his decision, by way of a reasoned and speaking order to the applicant forthwith thereafter.

6. With these directions, the O.A. is disposed of. No costs.

(Dr. Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

RK