



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA

OA. 350/01854/2015

Date of Order: 10.02.2016

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

Krishna Patra & Anr.
Vs.
S. E. Rly.

For the Applicant : Ms. P. Dey (Dhabal), Counsel

For the Respondents : None

ORDER (Oral)

Per Ms. Bidisha Banerjee, JM:-

Heard learned counsel for applicant. None appears for respondents despite notice. As such I invoke Rule 16(1) of CAT (Procedure) Rules, 1987.

2. Learned counsel for the applicant would submit that there was a dispute in regard to the status of the present applicant. The status emerged clear with an order passed by the Civil Court and grant of succession certificate in regard to settlement dues of the deceased employee on 31.08.2009 whereafter in 2010 the pension was released in favour of the widow. Her prayer seeking employment assistance in her favour was turned down on 02.01.2015 (Annexure A-6) on the ground that she had applied employment assistance in favour of her on 04.01.2011 i.e. belatedly. Later on, her second son having attained majority in 2015, she further applied for compassionate appointment in favour of her second son i.e the applicant no. 1, for employment assistance on compassionate ground which is pending.

3. It is noticed that the Railway Board Circular in RBE No. 03/2009 permits the cases as old as 20 years to be considered where a minor is to be considered for employment assistance on compassionate ground. Therefore there would be no impediment in consideration of the case of the second son who was a minor at the time of death of the employee, if nothing else stood in the way.

4. In view of the aforesaid, as it seems that the representation is pending since 09.09.2015, and the same is not yet disposed of and no fruitful purpose would be served by asking the reply unless the prayer is appropriately considered by the authorities themselves, the OA is disposed of with a direction upon the respondent no. 2 or any other competent authority to consider the representation dated 09.09.2015 and pass an appropriate reasoned and speaking order within a period of 3 months from the date of communication of this order, in accordance with RBE(supra).

5. OA is accordingly disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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