

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.343/2019

Date of Decision: 13th June, 2019

CORAM: RAVINDER KAUR, MEMBER (J)

1. Nirmala Dattu Ubale
Age:31 years,
D/o. Late Dattu Kissan Ubale
At Post Kasara, Taluka Shahpur,
District Thane
2. Kishore Dattu Ubale
Age : 29 years,
S/o Late Dattu Kissan Ubale,
At Post Kasara, Taluka Shahpur,
District Thane. ... **Applicants**

(By Advocate Shri Joe D'souza)

VERSUS

1. Divisional Railway Manager
Mumbai Division, Central Railway,
DRM's Office Building, CSMT,
Mumbai - 400 001.
2. Sr. Divisional Personal Office,
Mumbai Division, Central Railway,
DRM's Office Building,
CSMT, Mumbai - 400 001.
3. Sr. Divisional Electrical Engineer,
Mumbai Division, Central Railway,
DRM's Office Building,
CSMT, Mumbai - 400 001.
4. Asst. Electrical Engineer (TD)
Mumbai Division, Central Railway,
Kalyan East,
Pin - 421 306. ... **Respondents**

ORDER (ORAL)

The present OA has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:-

"8(a). "This Hon'ble Tribunal be pleased to direct the respondents to consider and process the application dated 30.06.2007, 13.06.2016, 13.02.2019 made by the applicants for compassionate appointment in favour of applicant No.2 within a specific time frame.

8(b) The Hon'ble Tribunal be pleased to direct the respondent to pay the cost of the application.

8(c) Any other relief which this Hon'ble Tribunal deems fit in the interest of justice and to which the applicants is found entitled to may be granted in favour of the applicants."

2. **MA No.347/2019** filed by the applicants for Joint Petition is allowed.

3. The facts are that late Shri Dattu Kissan Ubale was working as 'Khalasi' under respondent No.4 at Kalyan, Mumbai Division, Central Railway, Mumbai. While in service, he expired on 23.02.2001. Applicant No.1 is the daughter and applicant No.2 is the son of the deceased employee. Applicant No.2 applied for appointment on compassionate grounds vide applications dated 30.06.2007 (Annexure A-7) and 13.06.2016 (Annexure A-10) followed by

reminder dated 13.02.2019.

4. It is submitted that his request for compassionate appointment has not been considered by the respondents despite his reminder being issued to them. Under relief clause, he is seeking direction to the respondents to consider and process his all above referred applications within a specified time frame.

5. In the interest of justice, the respondents are directed to dispose of all the pending representations of the applicant dated 30.06.2007, 13.06.2016 followed by reminder dated 13.02.2019 as per provisions of law, within a period of three months vide a reasoned and speaking order and to communicate the said order to the applicant within one week thereafter.

6. The Original Application is disposed of with the above directions at the admission stage itself. No order as to costs.

(Ravinder Kaur)
Member (J)

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