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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2586 OF 2003

New Delhi, this the 23rd day of October, 2003

HON'BLE SHRI R.K. UPADHYAYA, ADMINISTRATIVE MEMBER

Gopal Singh, S/o Late Shri Harchandi,
R/o Village Gudrana, Teh. Hodal,
Distt. Faridabad, Haryana.

.....Applicant

(By Advocate : Shri M.K.D. Namboodiry)

Versus

1. Ministry of Railways,
through its Secretary,
Rail Bhawan, New Delhi.
2. The Divisional Railway Manager,
Northern-Central Railways,
(Formerly Central Railway),
Jhansi, U.P.
3. Senior Section Engineer,
Northern Railway,
(Formerly Central Railway),
Faridabad(Haryana).
4. Smt. Premwati (2nd Wife)
of Late Harchandi,
r/o Village Gudrana, Teh. Hodal,
Distt. Faridabad (Haryana).

.....Respondents

ORDER (ORAL)

This application under Section 19 of the Administrative Tribunals Act, 1985 has been filed by the applicant seeking a direction to the respondents to consider his claim for compassionate appointment due to the death of his father - Shri Harchandi, who died in harness on 8.6.2001. Deceased Government servant had died on the spot on account of the accident while working on the Railway track. The claim of the applicant is that he is legal heir of the deceased Govt. employee and he was fully dependent on the deceased Govt. employee. The learned counsel of the applicant states that in terms of the provisions contained in the Scheme for Compassionate Appointment,

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immediate decision should have been taken and the applicant should have been provided employment to tide over the financial distress on account of death of the sole bread earner. It is also stated that the applicant has been making representations to the respondents but no decision has been taken regarding the applicant's employment. At least no such decision is communicated to the applicant. In this connection, attention was also invited to the representation dated 3.10.2002 (Annexure A/4) seeking appointment of the applicant on compassionate ground.

2. After hearing the learned counsel of the applicant and after perusal of the material made available on record, without expressing any opinion on the merits of the claim of the applicant, it is considered expedient to dispose of this Original Application even at this stage without issuing notice to the respondents. The Scheme of the compassionate appointment requires early decision on the claims made by the applicant as the same is meant as financial help to the family of the deceased Govt. employee and so the delay defeats the very purpose of the Scheme. In this view of the matter, respondent No.2, Divisional Railway Manager, Northern- Central Railway, Jhansi Division, Jhansi, is directed to take decision on the pending representation of the applicant. The applicant may send a copy of this Original Application as an additional representation to the respondent No.2 along with a copy of this order within two weeks from

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the date of receipt of a copy of this order. If the applicant complies with the direction as above, respondent No. ~~2~~ ² is directed to take a decision on the pending claim of the applicant by passing a reasoned and speaking order under intimation to the applicant within a period of four weeks from the date of receipt of a copy of this order.

3. In view of the directions in the preceding paragraph, this Original Application is disposed of at the admission stage itself without any order as to cost.

R. K. Upadhyaya

(R.K. UPADHYAYA)
ADMINISTRATIVE MEMBER

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(*) Note:- Corrected vide orders dated
20.1.4 in MA. No. 139/2004 in
CA No. 2586/2003