

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/020/00971/2019

Date of Order : 13-11-2019

Between :

A.Janardhana Rao S/o Late A.Veeraiah,
Hindu, aged about 55 years,
Ex-Electrical fitter/TRS/ELS, Vijayawada,
R/o H.No.4-233, PeddaPadugupadu Village and Post,
Kovur Mandal, Nellore District.Applicant

AND

1. Union of India, Rep by its,
Divisional Railway Manager, South Central Railway,
DRM Compound, Vijayawada, Krishna District.
2. Senior Divisional Electrical Engineer/TRS/ELS/BZA,
South Central Railway, ELS Compound,
Vijayawada, Krishna District.
3. Divisional Electrical Engineer/TRS/ELS/BZA,
South Central Railway, ELS Compound,
Vijayawada, Krishna District.Respondents

Counsel for the Applicant: Mr.J. M. Naidu

Counsel for the Respondents : Mr. N. Srinivasa Rao, SC for Rlys

CORAM :

THE HON'BLE MRS.NAINI JAYASEELAN: ADMINISTRATIVE MEMBER

ORAL ORDER
(per Hon'ble Mrs.Naini Jayaseelan, Administrative Member)

This application is filed under section 19 of the Administrative Tribunals Act, 1985, for the following relief :

“It is therefore prayed that this Hon’ble Tribunal may be pleased to declare the action of the 3rd respondent in not considering the representations dated 28.07.2010, 13.12.2012, 14.08.2014, 08.08.2017, 26.06.2019 for grant of compassionate allowance as per the Railway Board Circular No. F(E)III/2003/PNI/5, dated 04.11.2008 is illegal, arbitrary and violation of Art 14 and 16 of Constitution of India and consequentially direct the respondents to consider and pass appropriate orders for grant of compassionate allowance as per rules and pass such other or further order as this Hon’ble Tribunal may deem fit and proper in the circumstances of the case.”

2. Heard Mr. J. M. Naidu, learned counsel for the applicant and Mr. N. Srinivasa Rao, learned Standing Counsel for Respondent Railways.
3. Mr. J.M. Naidu, learned Counsel for the applicant argues that the applicant’s representations dated 28.07.2010, 13.12.2012, 14.08.2014, 08.08.2017, 26.06.2019 for grant of Compassionate Allowance, which has been duly forwarded to the Respondents’ Department, (through speed post on 28.06.2019) has still not been disposed of. More than five and half months have elapsed since the latest representation has duly been received by the Respondents Department. The M.A for condonation delay has already been allowed stating that Compassionate Allowance is a part of pension which is a continuous case of action.
4. In view of the above, the Original Application is disposed of at the admission stage with the direction to the Respondents Department to dispose of the applicant’s representations dated 28.07.2010, 13.12.2012, 14.08.2014, 08.08.2017 and 26.06.2019 within a period of three months

from the date of receipt of the copy of this order.

5. No order as to costs.

(NAINI JAYASEELAN)
ADMINISTRATIVE MEMBER

Dated : 13th November, 2019.

Dictated in Open Court.

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