

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No. 332/00402/2019

This the 20th day of September, 2019

Hon'ble Ms. Jasmine Ahmed, Member - I

Smt. Kirti Srivastava aged about 33 years, W/o Shri Anupam Srivastava
R/o H.No. E-5392 Sector 11, Rajaji Puram, P.S Talkatora, District -
Lucknow - 226017.

..... Applicant

By Advocate: Sri Abhijeet Yadav.

VERSUS

1. Union of India, through the General Manager, Northern Railways, Baroda House, New Delhi.
2. Divisional Railway Manager, Hazratganj, Lucknow.
3. Chief Workshop Manager, LOCO, Workshop, Charbagh, Lucknow

..... Respondents

By Advocate: Ms. Prayagmati Gupta

ORDER (ORAL)

It is the contention of the counsel for the applicant that the applicant herein is a married daughter who was staying with the parents. He also contended that after the death of the father of the applicant herein, the brother of the applicant got appointment on compassionate ground who has also expired in harness on 31.07.2018 leaving behind widowed mother. It is the contention of the applicant that now the applicant is only person to take care of widowed mother and preferred application for grant of compassionate appointment and the mother on behalf of the applicant too requested for grant of compassionate appointment vide letter dated 29.10.2018.

2. The respondents herein have rejected the claim of the applicant for grant of compassionate appointment vide letter dated 28.05.2019 stating that the applicant was not dependent on the deceased employee as she is married. Her claim for grant of compassionate appointment cannot be entertained. Counsel for the respondents states that she does not come within the definition of family. Hence, she has no claim for grant of compassionate appointment.

3. Heard the rival contentions of the parties and perused the documents.
4. In the peculiar circumstances and facts of the case, as old widow lady is left behind alone, nobody is to take care of her, respondents are directed to appoint a welfare officer who will verify whether the applicant was staying with the mother much before the death of her father as well as deceased brother. If it is found that the statement given by the applicant at Bar that the applicant herein is staying with the parents much before the death of the deceased father as well as deceased brother, the respondent are directed to reconsider the case of the applicant as per rules.
5. With the above observation and direction, the O.A stands disposed of. There shall be no order as to costs.

(Jasmine Ahmed)
Member (J)

RK

