

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI

OA No. 780/2019

Dated this Tuesday the 26th day of November, 2019

Coram: R. Vijaykumar, Member (A).

1. Anand Rambhau Gaikwad
age 30 years, Occ. Temporary
service residing at Kusgaon
(Khurd) Post Kamshet,
Tal-Maval, Dist-Pune-410 405.

...Applicant.

(By Advocate Shri J. M. Tanpure).

Versus

1. Union of India,
through The General Manager,
Central Railway,
Mumbai-400 001.

2. The Divisional Railway Manager
(Personnel), Central Railway,
Divisional Office,
Pune-411 001.

... Respondents.

O R D E R (O R A L)

1. When the case was called out, Shri J. M. Tanpure, learned counsel appeared for the applicant. Heard him.

2. This application has been filed on 18.10.2019 by the applicant. He claims that he is the son of the second wife of the deceased railway employee who demised on 08.01.2012. He

states that he had applied for Compassionate Appointment on 13.02.2012 through both the first and legally wedded wife of the deceased employee and the alleged second wife but the respondents has rejected his application in letter no.PA/P/Wel/1203 dated 06.11.2012 stating that appointment of children of the second widow was not to be considered unless the administration had permitted the second marriage.

3. The applicant now urges that the Hon'ble Apex Court had held in orders passed in the case of Union of India and Anr. Vs. V. R. Tripathi decided on 11.12.2018 that the son of the second wife of the deceased employee was also entitled to such a claim. Accordingly, he had filed an application on 27.02.2019 to the respondents on which orders have not been passed till date. It is necessary for the respondents to scrutinize the contention of the applicant and pass orders promptly especially in cases of Compassionate Appointment.

4. In the circumstance, this OA is disposed of with directions to the respondents to consider the representation dated 27.02.2019 of the

applicant which is pending with them and to pass orders within four weeks from the date of receipt of a certified copy of this order.

5. No order as to costs.

(R. Vijaykumar)
Member (A)

V.

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27/11/19

