

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 892 OF 2015

Union of India and ors.	.. Petitioners.
V/s.	
Nawaz Ahmed	.. Respondent

Mr. Suresh Kumar a/w. Ms Sangita Yadav for the petitioners.
Mr. Pravin H. Padave for the respondent.

**CORAM: D.H. WAGHELA, C.J. AND
M.S.SONAK, J.**

DATE : 01 APRIL 2016.

- 1] Not on board. Upon mentioning, taken on board.

- 2] Rule. With the consent of and at the request of learned counsel for the parties, Rule is made returnable forthwith.

- 3] Mr. Suresh Kumar, learned counsel for the petitioners, agrees that the issue raised in the present petition is substantially covered by the issue raised in Writ Petition No. 910 of 2015 (Union of India and ors. Vs. V.R. Tripathi).

- 4] Therefore, for the reasons set out in the judgment and order dated 1 April 2016 made in Writ Petition No. 910 of 2015, we dismiss the present petition as well. However, we once again clarify that the impugned orders merely direct the Union of India (Railways) to consider the case of the respondent for compassionate appointment on its own merits and in accordance

with existing rules and regulations, without adverting to railway board's circular dated 2 January 1992. We therefore, direct the Union of India (Railways) to take a decision in this regard, as expeditiously as possible and in any case within a period of three months from today and thereafter, to communicate the such decision to the respondent.

5] Rule is accordingly, discharged. There shall be no order as to costs.

6] All concerned to act on the basis of authenticated copy of this order.

(CHIEF JUSTICE)

(M.S.SONAK, J.)