

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M.GANGA RAO

WRIT PETITION NO.3847 OF 2018

ORDER: (per SK,J)

The Union of India and its officials in the South Central Railway filed this writ petition aggrieved by the order dated 25.07.2017 passed by the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, in O.A.No.020/01387/2014. By the said order, the Tribunal directed the petitioners herein, the respondents in the said O.A., to re-consider the case of the second respondent/second applicant for compassionate appointment and to pass speaking orders within a time frame under communication to the respondents/applicants.

Perusal of the order under challenge reflects that the second respondent/second applicant is the grandson of the deceased employee and his son predeceased him. The second respondent/second applicant seems to have been adopted by his grandfather. The adoption was however disputed by the petitioners herein. The Tribunal was disinclined to accept their argument.

Though Smt.Chintalapudi Lakshmi Kumari, learned counsel for the petitioners, would reiterate this contention before us, we are of the opinion that as the second respondent/second applicant is none other than the grandson of the deceased employee and his father predeceased him, there would be no bar to consider his case for compassionate appointment, if there is no earning member in the family. Further, as the Tribunal merely directed the petitioners herein to re-consider the case of the second respondent/second applicant for compassionate appointment

and pass speaking orders thereon under communication to the respondents/applicants, we see no reason to interfere with the same.

The writ petition is accordingly dismissed. In the light of expiry of the time stipulation fixed by the Tribunal, the petitioners herein are directed to abide by and implement the order dated 25.07.2017 passed by the Central Administrative Tribunal, Hyderabad Bench, in O.A.No.020/01387/2014 within eight (8) weeks from the date of receipt of a copy of this order.

Pending miscellaneous petitions, if any, shall also stand dismissed.

No order as to costs.



SANJAY KUMAR,J

M.GANGA RAO,J

Date:02.04.2018

GJ