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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 11520/2025**

MAYA DEVI

.....Petitioner

Through: Mr. Hirein Sharma, Mr. Saurabh
Goel, Mr. Paras Sharma, Mr.
Balaji Pathak, Advocates.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. P.S. Singh, CGSC with Ms.
Minakshi Singh, Mr. Ashutosh
Bharti, Mr. Kapil Dev Yadav,
Advocates for R-1 and 2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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04.08.2025

CM APPL. 47160/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 11520/2025

1. The petitioner is the mother of Mr. Rahul Kumar - respondent No. 3 herein, who was appointed in the service of the Indian Railways on compassionate grounds. His appointment followed the resignation of the petitioner's husband, Late Mr. Naval Kishore on medical grounds. Mr. Naval Kishore was employed with respondent No. 2 – Northern Railways, at the post of Chief Officer Superintendent, on medical grounds.

2. The petitioner contends that she consented to compassionate appointment being granted in favour of her son, subject to an undertaking that he would support the rest of the family. According to the petitioner, such an assurance was given by respondent No. 3, but has not been



fulfilled.

3. Learned counsel for the petitioner states that several representations have been made to the Railways seeking necessary action to be taken against respondent No. 3 in this regard, but no action has been taken, although her statement was recorded on 06.06.2023 by the Office Staff (Welfare Inspector) of respondent No. 2 annexed as Annexure P-9 to the petition. In support of this contention, he relies upon Clause XIII of the Railways Consolidated Rules in respect of appointment on compassionate grounds, a copy of which is annexed to the petition as Annexure P-3.

4. Having regard to the nature of the complaint made, I am of the view that it is appropriate to first give the respondent-Railways, an opportunity to take an administrative decision. The respondents are directed to take a decision within a period of eight weeks from today upon considering the petitioner's representations. As respondent No. 3 is not represented today, it is made clear that such a decision will be taken after issuance of notice to him, and in compliance with the principles of natural justice.

5. In the event it is decided not to initiate any action against respondent No. 3, the same be communicated to the petitioner through learned counsel appearing on her behalf. She will then be entitled to avail legal remedies as available to her in accordance with law.

6. The writ petition is accordingly disposed of with the aforesaid observations.

PRATEEK JALAN, J

AUGUST 4, 2025/'Bhupi/JM'/