



2025:AHC-LKO:59548-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

WRIT - A No. - 2001536 of 2009

Union Of India Thru G.M. Northern Railway And
Ors.

.....Petitioner(s)

Versus

Smt. Vidyawati W/O Late Rakesh Kumar And Anr.

.....Respondent(s)

Counsel for Petitioner(s)	: Anil Srivastava, Brijesh Kumar Shukla, Nishant Shukla, P.K.Srivastava
Counsel for Respondent(s)	: Abhinav Trivedi, Chandra Shekhar Sinha, Krishna Srivastava

Court No. - 1

**HON'BLE RAJAN ROY, J.
HON'BLE PRASHANT KUMAR, J.**

1. Heard Shri Nishant Shukla, learned counsel for the petitioner and Shri Abhinav Trivedi, learned counsel for the opposite party no. 1.
2. This writ petition was filed in 2009 challenging an order dated 07.08.2009 passed by the Central Administrative Tribunal, Lucknow in Original Application No. 52 of 2009; Smt. Vidyawati Vs. Union of India and Ors. quashing the order declining to appoint the opposite party on compassionate basis on a Class IV post purely considering the facts of the case.
3. The contention of the petitioners' counsel is that daughter-in-law did not fall within the definition of dependent family members for the purposes of compassionate appointment, however, we find that the Tribunal vide its judgment dated 07.08.2009 was persuaded to allow the Original Application considering the facts before it, especially, that the opposite party had two daughters, one of them was 80% disabled. No stay order was passed in this writ petition. Consequently, in 2012 the opposite party has been appointed on compassionate basis on Class IV post. She has been continuing as such.
4. We, therefore, do not find it a fit case for interference at this belated stage, as, we are in 2025. Of course, we make it clear that the judgment of

the Tribunal shall not be made a precedent nor can it be made a ground for anybody else to claim similar benefit if the law otherwise does not permit.

5. With the aforesaid observations/directions, the writ petition is **disposed of.**

(Prashant Kumar,J.) (Rajan Roy,J.)

September 24, 2025
R.K.P.