

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00454/2019

DATED THIS THE 10TH DAY OF DECEMBER 2019

HON'BLE SHRI DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV.SANKAR MEMBER (A)

Mahantesh Karadigudda,
S/o Late MS.Karadigudda,
Aged 29 years
EX GDS MC/MD,
Sunnal BO 591123
Ramadurga Taluk
Residing at:
Sunnal Village 591123
Ramadurga

....Applicants

(By Shri P.Kamalesan... Advocate)

Vs.

1.Union of India,
Represented by Secretary,
Department of Post,
Dak Bhavan,
New Delhi 110 001.

2.Chief Post Master General,
Karnataka Circle,
Bangalore 560 001.

3.Post Master General,
N.K. Region,
Dharwad-580 001.

4.Superintendent of Post Offices,
Belagavi Postal Division,
Belagavi 590 001.

...Respondents.

(By Shri NB.Patil ... Counsel)

ORDER (ORAL)DR. K.B. SURESH, MEMBER (J):

1. Heard. The matter relates to compassionate appointment. Apparently, the Department found out that there are 2 elder brothers to the applicant and one is working in Army and the other one is working in a Private company. Therefore, they held that the applicant's family is not to be held as indigent. We find nothing wrong in the submissions of the respondents as compassionate appointment scheme is a extreme welfare measure intended to protect the family and drive their destitution. That is all. But then, it is not to be used as a step ladder for everybody in the same family. That is not the purpose and purport of this scheme. Therefore, no merit in this OA. OA is dismissed. No order as to costs.

2. We are encouraged by the fact of the article 13 of the Constitution of India protects the fundamental rights of the competitively meritorious. If several people from the same family can legitimately or illegitimately aspire for government jobs, it will defeat the purport of article 13, as it will defeat competitive meritorious people from entering into government service as the vacancies are usurped by the people without merit. Therefore, OA will not lie. Dismissed. No order as to costs.

(CV.SANKAR)
MEMBER (A)

(DR. K.B. SURESH)
MEMBER (J)

bk

Annexures referred to by the applicant in OA.No.454/2019

Annexure A1: Copy of representation of applicant dtd. 6.9.2017

Annexure A2: Copy of representation of applicant's brother dtd. 1.9.2017

Annexure A3: Copy of letter dtd. 4.3.2019

Annexures referred to by the Respondents in the OA

Annexure R1: Copy of letter dtd. 30.5.2017

Annexure R2: Copy of minutes of CEE Dtd. 22.11.2018

Annexure R3: Copy of payment of GDSGIS amount

Annexure R4: Copy of Ex-Gratia Gratuity

Annexure R5: Copy of Severance amount

Annexure R6: Copy of Welfare fund amount

.....

bk.