

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/20/765/2014

HYDERABAD, this the 22nd DAY OF JANUARY 2020

Hon'ble Mr. ASHISH KALIA, MEMBER (J)

Hon'ble Mr. B.V. SUDHAKAR, MEMBER (A)

A HARI NARASIMHA RAO,
S/o Late A.Chennaiah,
Aged about 32 years,
Occupation: Ex.Gramina Dak Sevak Mail Deliverer,
Kalagar BO, a/w Tsanubanda SO 521 214,
R/o Kalagar BO, a/w Tsanubanda SO 521214,
Gudivada Division.



(By advocate: M Venkanna)

APPLICANT

Vs.

1. Union of India represented by its Secretary,
Government of India,
Department of Posts-India,
Ministry of Communications and I.T,
Dak Bhavan, Sansad Marg,
New Delhi 110001,
2. The Chief Postmaster General,
A.P.Circle, Abids, Hyderabad 500001,
3. The Superintendent of Post Offices,
Gudivada Division, Gudivada 521301.

Respondents

(By advocate: Mr. Paravastu Krishna, Addl.CGSC)

ORAL ORDER

PER HON'BLE Mr. **ASHISH KALIA, MEMBER (J)**

This Original Application was filed under section 19 of the Administrative Tribunals Act, 1985 praying for the following relief(s):

“To quash and set aside the Memo No.BE/Com. Appt/AHN/01/13 Dated 06.09.2013, Policy Guidelines issued by the 1st respondent viz., Memo No.17-17-2010-GDS dt. 14.12.2010, 01.08.2011, 09.03.2012 and 13.04.2012 and the Notification issued vide Memo No.PF/GDS MD/JAKAGARA V,I,/2014 dated 11.06.2014, that are not sustainable in the eyes of the law and declare all memos like the rejection of compassionate appointment, Notification and recruitment rules for compassionate appointment as arbitrary and illegal and opposed to the sacred scheme of compassionate appointments and consequently direct the respondents to consider the name of the applicant in the subsequent CRC meetings for compassionate appointment to any eligible GDS post in the interest of justice.”

2. Applicant's father died in harness on 17.12.2012 leaving behind his wife and three sons and one daughter. Eversince his father died, applicant has been working as GDS MD, Kalagara B.O, a/w Tsanubanda S.O. He submitted a representation for appointment on compassionate grounds and vide memo dated 06.09.2013, his case was rejected. Hence, the present OA seeking the aforementioned relief (s).



3. Respondents have filed reply statement stating that his case was considered by the Circle Relaxation Committee on 22.08.2013 and as he did not secure the points prescribed by the Directorate, his case could not be recommended by the Committee.

4. We heard Mr. ABLN Pavan Kumar representing Mr. M.Venkanna, learned counsel for the applicant and Mrs. Megha Rani Agarwal, representing Mr. Paravastu Krishna, learned standing counsel for the respondents.

5. Applicant has been awarded 47 points as against the required 51 points prescribed by the Directorate. According to the applicant, as per the changed policy of the Ministry of Communications, Department of Posts guidelines dated 30.05.2017, only 36 points are required for considering the cases for compassionate appointment. Therefore, learned counsel for the applicant states that his case should be considered once again.

6. This Tribunal has already dealt with this issue in Original Application Nos **728/2014 - K.Manjunath Reddy Vs. Union of India**, **709/2019-P.Babu vs. Union of India**, and **1148/2016-M.Rajasekhar Vs. Union of India and others**. We find that the case of the applicant herein deserves to be reconsidered in terms of the new scheme of the Ministry of Communications, Department of Posts guidelines dated 30.05.2017.



7. We direct the respondents to consider the case of the applicant once again for compassionate appointment and communicate their decision to the applicant, within a period of four months from the date of receipt of this order. If the grievance of the applicant still persists, he is at liberty to approach this Tribunal.

8. OA is accordingly disposed of.

9. There shall be no order as to costs.



(B V SUDHAKAR)
MEMBER (A)

(ASHISH KALIA)
MEMBER (J)

vsn