

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

Original Application No.21/1094/2019

Hyderabad, this the 24th day of January, 2020



Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

Smt. M. Swaroopa Rani, W/o. late M. Omprasad,
Aged about 46 years, Resident of H. No. 16-8-259,
Laxmipur, Warangal – 506013,
Telangana State.

... Applicant

(By Advocate: Mr. K. Venkateswara Rao)

Vs.

1. The Principal General Manager, Telecom,
BSNL, Warangal.
2. The Chief General Manager,
Telangana Telecom Circle,
BSNL, Door Sanchar Bhavan,
Nampally, Station Road, Hyderabad.
3. The Chairman & Managing Director, BSNL,
Corporate Office, Barakamba Road,
Statesman House, New Delhi – 110 001.
4. Union of India, Represented by its Secretary,
Department of Telecommunications,
Ashoka Road, New Delhi.
5. The Chief General Manager,
AP Telecom Circle, Vijayawada.

... Respondents

(By Advocates: Mrs. K. Rajitha, Sr. CGSC
Smt. A.P. Lakshmi, SC for BSNL)

ORDER (ORAL)
{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.)}

2. The OA is filed in regard to compassionate appointment sought by the applicant.



3. Brief facts are that the husband of the applicant while working as Telecom Mechanic for the respondents has died on 27.8.2009 while being in service, leaving behind wife, son, daughter and his parents. Death benefits received were utilized to conduct the marriage of the daughter and in clearing the cooperative loans raised. Applicant preferred an application for compassionate appointment in March 2011 and she was awarded 89 weightage points. Applicant claims that those who got lesser weightage points than her were given compassionate appointment and not her. Aggrieved over the same, OA has been filed.

4. The contentions of the applicant that though she sought compassionate appointment in 2011 but her case was considered only in 2016, despite the fact that compassionate appointment cases are to be processed without delay. Applicant states that other candidates like Smt. K. Suguna, Smt. M. Alivelu Manga, who got 78 and 89 points respectively, were granted compassionate appointment, but her case was not considered, which is discriminatory in nature. Applicant expressed anguish in not keeping her informed as to how many times her case was considered during the years from 2011 to 2019.

5. Heard both the counsel and perused the pleadings on record.

6. I) Applicant claims that her case for compassionate appointment was not considered though she got 89 weightage points and that those who got lesser or equal weightage points like Smt. K. Suguna and Smt. M. Alivelu Manga were offered compassionate appointment, by taking support of the letter issued by the respondents on 06.02.2019 (Annexure A-I) in the representation made by her to the respondents on 20.4.2019 (Annexure A-II). In this regard, the Ld. counsel for the respondents has submitted that the candidates referred to by the applicant in regard to their selection, were considered in different years and hence, comparison with such cases is not correct. Besides, the financial position of the respondents not being comfortable, respondents organization have temporarily stopped the grant of compassionate appointment vide letter No. 273-18/2013/CGA/Estt-IV, dated 09.04.2019, for a period of three years. In view of this development, the case of the applicant cannot be considered for compassionate appointment. However, the representation of the applicant made on 20.4.2019 is reported to have not been disposed till date. Besides, there appears to be some delay in processing of the case of the applicant for reasons known to the respondents.

II) Nevertheless, in view of the aforesaid circumstances, interest of justice would be met by directing the respondents to consider the case of the applicant as and when the respondents decide as a policy, if they do, to resume considering appointments after 3 years as per the letter dated 9.4.2019, on compassionate basis as per the relevant rules and regulations on the subject and in accordance with law.



III) With the above directions, the OA is disposed of, at the admission stage, without going into the merits of the case. There shall be no order as to costs.



(B.V. SUDHAKAR)
MEMBER (ADMN.)

/evr/