

**Central Administrative Tribunal
Hyderabad Bench**

OA No.021/1080/2019



Hyderabad, this the 12th day of March, 2020

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

Rahamatunnisa Begum
D/o Late Sahik Attaullah
Group C, Aged 32 years, Occ: Nil
R/o H.No.11-3-266/44/1A
Shabazguda, Warasiguda,
Secunderabad, Telangana State. Applicant(s)

(By Advocate: Shri G. Trinadha Rao proxy of Mr.G.J.Vinod Kumar)

Vs.

Union of India, Rep. by its Principal General Manager (ADM)
Office of PGM STD, BSNL Bhavan
Hyderabad – 500 063. Respondent(s)

(By Advocate: Mr. M.C.Jacob, SC for BSNL)

O R D E R (Oral)

2. The OA is filed seeking compassionate appointment by the applicant.
3. Brief facts of the case are that the applicant's father, who was an employee of the respondents organization, died in harness on 12.01.2015, leaving behind three daughters and his wife. Applicant, on the death of her father, applied for compassionate appointment on

09.02.2018, by enclosing relevant documents along with certificate. However, there has been no relief extended to the applicant. Hence, the OA has been filed.

4. Respondents in their reply statement have taken a preliminary objection by stating that the applicant has not made the Chairman and Managing Director of the BSNL as a party, therefore, the OA is not maintainable for non-joinder of proper and necessary parties. However, as seen from the cause title of the OA, the applicant did make the Union of India, Represented by its Principal General Manager (ADM), Office of PGM STD, BSNL Bhavan, Hyderabad as a party respondent. That would suffice to take up the issue for adjudication.

5. Besides, respondents while admitting the facts in regard to the death of her father while working for the respondents, indicate that the respondents have taken a policy decision to keep the compassionate appointment in abeyance for a period of 3 years from 01.04.2018 vide their letter dated 09.04.2019 (Annexure R-1) in view of the precarious financial condition of the organisation. Hence, they are not able to consider the case of the applicant at this juncture of the time.

6. After hearing both sides, the respondents are directed to consider the case of the applicant for compassionate appointment as and when they decide to examine cases of compassionate appointment after the



said period of 3 years, if eligible, for compassionate appointment, as per the extant rules and regulations of the respondents' organization.

With the above directions, the OA is disposed of with no order as to costs.

(B. V. Sudhakar)
Member (A)

nsn

