

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/351/893/2019

Date of Order: 09.12.2019

M.A/351/481/2019

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

1. Smt. K. Bhawani, wife of Late K. Ramu, aged about 62 years, who died in harness before retirement on 10.11.2013 while he was working to the post of MTS under Postmaster General in the Postal Department of Andaman and Nicobar Islands Division, Port Blair and residing at Mahaveer nagar, Garacharma, Post Blair, 744105, District – South Andaman.
2. Mr. K. Srinivas, son of Late K. Ramu, aged about 35 years, residing at Mahaveer Nagar, Garacharma, Post Blair, 744105, District – South Andaman.

--Applicants

-Versus-

1. Union of India, service through the Secretary, Government of India, Ministry of Communication and Information Technology, Department of Posts, 20, Sanchar Bhawan, Ashoka Road, New Delhi – 110001.
2. The Post Master General, Andaman & Nicobar Islands Division, Port Blair – 744101.
3. The Superintendent of Post Offices (Headquarters), Andaman & Nicobar Islands Division, Port Blair – 744101.
4. The Assistant Superintendent of Post Offices (Headquarters), Andaman & Nicobar Islands Division, Port Blair – 744101.

--Respondents

For The Applicant(s): Mr. P. C. Das, counsel
Ms. T. Maity, counsel

For The Respondent(s): Mr. R. Halder, counsel

O R D E R (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides.

2. M.A/350/481/2019 for joint prosecution is allowed and disposed of accordingly.
3. This application has been preferred to seek the following relief:
 - "a) Leave may be granted to the applicants to file this application jointly under Rule 4(5)(a) of the Central Administrative Tribunal (Procedure) Rules, 1987.

b) To pass an appropriate order directing upon the respondent authority to grant compassionate appointment in favour of the applicant No. 2 in terms of his qualification which he has produced along with his application for any available vacancy to save the distress condition of the family of the deceased employee because they are facing very hard days due to serious financial crisis.

c) To pass an appropriate order directing upon the respondent authority to immediate take action for considering the case of the applicants regarding grant of compassionate appointment in favour of the applicant No. 2 in terms of Annexure A-3 and A-6 of this original application within a specific time so that they can survive with the help of Administration regarding grant of compassionate appointment in favour of the applicant No. 2 in the rest of their lives."

4. Since, seeking identical relief, the applicant has already preferred a representation dated 04.01.2019, to the Respondent No. 2, the Post Master General, A&N Islands, Port Blair, which is yet to be disposed of, and as no fruitful purpose would be served by calling for a reply in this matter, unless the representation dated 04.01.2019 is decided by the competent authority, we dispose of the OA with a direction upon the concerned Respondent no. 2 or any other competent authority to consider the representation sympathetically, in view of the fact that the applicant is a Tsunami victim, and issue a reasoned and speaking order in accordance with law within a period of 3 months from the date of receipt of copy of this order.

In the event the applicant is found entitled to the relief as prayed for, an appropriate order in accordance with law be issued within the said period.

5. It is made clear that we have not entered into the merits of this matter and therefore, all points are kept open for consideration.

6. The present OA accordingly stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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