

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1795 of 1999

New Delhi, this the 3rd day of January, 2000

HON'BLE MR. KULDIP SINGH, MEMBER (J)

(7)

1. Shri Vinod Rana
s/o Late Shri B.R. Rana

2. Smt. Rameshwari Rana
W/o Late Shri B.R. Rana
R/o H.No. 1015 Gandhi Colony,
Faridabad-121001.
address for service of notices
C/o Shri SAnt Lal, Advocate
C-21-B New Multan Nagar
Delhi-56.

...Applicants

By Advocate Shri Sant Lal.

Versus

1. Union of India through
the Secretary,
Ministry of Communications,
Department of Posts,
Dak Bhawan,
New Delhi-110 001..

2. The Chief Postmaster General,
Haryana Circle,
Ambala Cantt-133001.

3. The Sr. Superintendent of Post Offices,
Faridabad Division,
Faridabad-121001.Respondents

By Advocate Shri K.R. Sachdeva.

ORDER

Hon'ble Mr. Kuldip Singh, Member (J)

The applicants Shri Vinod Rana (applicant No.1) and Smt. Rameshwari Rana (applicant No.2) have filed this application under Section 19 of the Administrative Tribunal's Act, 1985 seeking a direction to the respondents to offer a job to applicant No.1 on compassionate grounds.

2. The facts in brief are that the father of the applicant No.1 and husband of applicant No.2 was last

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employed as Sub Postmaster in Faridabad Postal Division. He died in harness on 18.1.1998 leaving behind a family of 8 members in indigent circumstances. The applicant No.2 submitted an application to respondent No.2 to provide an appointment of Postal Assistant to her eldest son, applicant No.1 on compassionate grounds vide Annexure A-1 and it is stated that after filing of the OA, it has been processed and sent to circle office, but no job has been offered.

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3. The respondents contested this O.A. and they have stated that the application has already been processed but there are 45 candidates who are already waiting appointment on compassionate grounds. They have also stated that the relief sought for by the applicant is under consideration and will be granted as per his turn.

3. In view of the reply submitted by the respondents, I find that the applicant has no cause of action because the application of the applicant No.1 is still under consideration and the department has stated that it will be granted as per his turn. This Tribunal cannot be expected to direct the respondents to offer a job to the applicant on out of turn basis or to create a supernumerary post to accommodate the applicant when already 45 such candidates are awaiting appointment on compassionate grounds. So at this stage the applicant has no cause of action. However, in case the application of the applicant is rejected, then the applicant may file a fresh

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O.A.

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4. In view of the above, the O.A. is disposed of as above. No order as to costs.

Kuldeep Singh
(KULDIP SINGH)
MEMBER (J)

Rakesh