

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI



O.A./T.A. No. 2199/94 /19 Decided on: 9.4.96

Karnail Singh APPLICANT(S)
(By Shri S.K. Sawhney Advocate)

VERSUS

U.O.I. RESPONDENTS
(By Shri K.C.D. Gangwani Advocate)

CO RAM

THE HON'BLE SHRI S.R. ADIGE, MEMBER (A)

THE HON'BLE ~~SHRI~~/SMT./~~DR.~~ Lakshmi Swaminathan, Member (J)

1. To be referred to the Reporter or not? Yes
2. Whether to be circulated to other Benches of the Tribunal? No

S.R. Adige
(S.R. ADIGE)
Member (A)

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

O.A. No. 2199 of 1994

New Delhi, dated the 9th April, 1996

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE Mrs. LAKSHMI SWAMINATHAN, MEMBER (J)

Shri Karnail Singh,
S/o Late Shri Nanak Chand,
Ex-Sub-Post Master,
Ravinder Rangshala P.O.
New Delhi.
R/o B-1025, Shastri Nagar,
Delhi-110052. APPLICANT

(By Advocate: Shri S.K. Sawhney)

VERSUS

1. Union of India through
the Secretary-cum-Dir. General (Posts),
Dept. of Posts,
Parliament Street,
New Delhi-110001.
2. The Chief Post Master General,
Delhi Circle,
New Delhi-110001.
3. The Sr. Supdt. of Post Offices,
New Delhi Central Div.,
Meghdoot Bhawan,
New Delhi-110001. RESPONDENTS

(By Advocate: Shri K.C.D. Gangwani)

J U D G M E N T

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

We have heard applicant's counsel Shri Sawhney and the respondents' counsel Shri Gangwani.

2. The respondents' action in denying compassionate appointment to the applicant in relaxation of recruitment rules for failure to mention his involvement in a criminal case



case under Sec. 324 IPC in the attestation form, is certainly not unreasonable, particularly in the background of the fact that the Circle Selection Committee in its meeting dated 19.4.94 while rejecting the applicant's claim for the reason mentioned above, has simultaneously recommended employment to the applicant's younger brother to give relief to the family.

3. The entire purpose of granting compassionate appointment is to give immediate relief to the family of the deceased employee to save it from indigence, and under no circumstance can more than one member of a family avail of such benefit, which forms an exception to the equality, guaranteed under Art. 14 and 16 of the Constitution.

4. Shri Sawhney has cited some rulings namely .D.S Vasudevan Vs. Vikram Sarabhai Space Centre, 1988 (Suppl.) SCC 795 and State of U.P. Vs. R.S. Raghuvanshi 1983 92) SCC 145 as well as the CAT, Principal Bench judgment dated 27.1.95 in O.A. 2209/93 Shri Rajkumar Vs. UOI & Ors., but in none of those cases had the respondents offered compassionate appointment to another member of the same family. Shri Sawhney has also contended the applicant's younger brother for whom compassionate appointment has been offered was also involved in the criminal case, but the fault of the

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applicant was not in his being involved in that case, but in his supressing the fact of his involvement in the attestation form.

5. Hence no interference is warranted. The O.A. fails and is dismissed. No costs.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
Member (J)

S.R. Adige
(S.R. ADIGE)
Member (A)

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