

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00840/2020

HYDERABAD, this the 4th day of January, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



T.Vannur Swamy,
S/o Late Titakanti Thiuppeswamy,
Gr. 'C', Aged about 34 years,
Occ : Unemployee, R/o 1-86,
B. C. Colony, Polepalli, Brahma Samudram,
Anantapuramu District.

...Applicant

(By Advocate : Mr. P. Bosu Babu)

Vs.

1. The Union of India Rep by its Director of
Postal Service, A.P. Anantapur Region,
Vijayawada.

2. The Chief Post Master General,
Vijayawada, Krishna District.

3. The Post Master General, Kurnool Division,
Kurnool District.

4. The Superintendent of Post Offices,
Anantapuram Division, Anantapuram District.

5. The Inspector of Post Office, Rayadurg,
Anantapuram District.Respondents

(By Advocate : Mr. M. Mohan Rao, Addl. CGSC)

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

Through Video Conferencing:



2. The Original Application is filed seeking Compassionate Appointment.
3. Brief facts are that the applicant's father died while working as GDSMC/MD, Polepalli BO A/w. Gummagatta SO and the applicant applied for Compassionate Appointment, which was rejected since he was married. Consequently, applicant sought Compassionate Appointment for his brother Mr. T. Laxminarayana, which too was rejected since he secured less than the threshold points required. Aggrieved, applicant represented on several occasions to consider him based on revised rules and there being no response, the Original Application is filed.
4. The contentions of the applicant are that the married son is also eligible for Compassionate Appointment. Huge amounts were spent to treat his father medically. Representations submitted on 28.03.2019 and 30.06.2020 were not replied.
5. Learned counsel for the respondents filed detailed standing instructions received from the respondents, wherein it is stated that the brother of the applicant was considered for Compassionate Appointment based on the letters submitted by the Applicant.

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

7. (i) It is true that the applicant's request for Compassionate Appointment was rejected on grounds that he was married. Thereafter, a request was made to consider the brother of the applicant for Compassionate Appointment, which was initially rejected by the respondents for securing less than 51 points. Challenging the rejection, OA No.942/2015 was filed which was disposed directing the Respondents to reconsider based on revised guidelines issued on 17.12.2015. Respondents reconsidered and rejected the case of the brother stating that the revised guidelines have prospective effect. However, respondents, based on the revised guidelines issued in letter dated 05.03.2020, reviewed the case applicant's brother as a one-time measure and the competent committee recommended the applicant's brother's case for Compassionate Appointment.

(ii) In this regard, the gist of the letters dated 19.02.2014 and 11.08.2014 written by the Applicant to the respondents are herewith extracted:

19.02.2014

“Sri T. Thippeswamy who was working as GDSMC/MD Polepalli BO a/w. Gummaghatta SO expired on 13.01.2014 with ill-health. I am the elder son of Sri T. Thippeswamy, writing this representation that for last two years I am residing separately with family. My brother Sri T. Lakshminarayana is managing debts connected with the health treatment of my father and looking after my mother and family and hence I request to give my father's job to Sri T. Lakshminarayana”

11.08.2014

“I am hereby giving my consent to give compassionate appointment to my brother Sri T Lakshminarayana who is looking after family on the death of Sri T. Thippeswamy, who worked as GDSMC/MD Polepalli BO a/w. Gummaghatta SO. I am the first son of Sri T. Thippeswamy

staying away from family due to some problems and my brother is looking after family livelihood and hence, I am ineligible for compassionate appointment. I have no objection and giving my written consent for compassionate appointment to my brother who is managing the debts held by my father and other expenditures and is in poor condition. I request to kindly accept this and provide compassionate appointment to my brother Sri T. Lakshminarayana.”



As can be seen from the above, applicant has written that he is staying away from the members of the family of the deceased employee and that his brother is taking care of the deceased employee's family members.

Primary condition for Compassionate Appointment is that it is to be granted to one of the dependent family members of the deceased employee. Hence, the action of the respondents was as per rules and as per the request of the Applicant.

(iii) Consequently, we find no merit in the case, in view of the above circumstances and therefore, dismiss the OA, with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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