

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 1st day of February 2002.

QUORUM : HON. MR. RAFIQUDDIN, J.M.

O.A. No. 44 of 1996.

Umesh Chandra s/o Late Bhola Nath r/o Mighauli, Post - Khas,
District Farrukhabad.....

..... Applicant.

Counsel for applicant : Sri D.P. Singh.

Versus

1. The Union of India through Chief Post Master General,
Lucknow (UP).
2. The Post Master General, Kanpur (UP).
3. The Superintendent of Post Offices, Farrukhabad.

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..... Respondents.

Counsel for respondents : Km. S. Srivastava.

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BY HON. MR. RAFIQUDDIN, J.M.

This application has been moved by Sri Umesh Chandra who is the son of Late Bhola Nath, who was working as Extra Departmental Delivery Agent (EDDA), Mighauli, Distt. Farrukhabad. The applicant seeks a direction to the respondents to appoint him on compassionate ground as EDDA at Post Office, Mighauli.

2. According to the applicant, the father of the applicant Sri Bhola Nath sought pre-matured retirement on medical ground w.e.f. 18.4.92, which was accepted by the respondent authorities. An application was moved by his father before his retirement on 11.2.92 before the Superintendent of Post Office, Farrukhabad (Respondent No.3) seeking appointment to the applicant in his place, a copy of which has been annexed as Annexure-II to this O.A. It is contended that the applicant being elder son of Sri Bhola Nath has to bear the entire responsibility of his family after the retirement of his father hence he is entitled for his

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appointment on compassionate ground. The applicant also fulfills all the requisite qualifications as per rule for his appointment as EDDA. The applicant also submitted various representations from time to time during the period from 5.6.93 to 26.9.95 but the respondents have not considered the same and passed any order hence he has filed this application. It is also pointed out that Sri Bhola Nath also died on 7.3.93 and there is no other source of income to look after the family, which is on the verge of starvation

3. The case of the respondents is that the claim of the applicant is not justified because the father of the applicant was declared invalid after the due date of his retirement i.e. 9.8.91 who also passed away on 7.3.93. It is, however, mentioned that the case of the applicant stands referred to the higher authorities i.e. Respondent No.2 whose decision is still awaited, because the case of the applicant is a specific type and does not fall under the purview of the normal rules for appointment on compassionate grounds.

4. Having heard the counsels for the parties and ^{the} perusal ~~of~~ record, the O.A. is disposed of with the direction to the respondent Nos. 1 & 2 to consider and pass suitable order on the application submitted by the applicant for his appointment on compassionate ground which ^{R.W.M.} is submitted ^{R to} respondent No.3 within a period of three months from the date of receipt of a copy of this order.

There shall be no order as to costs.

Rajendra
J.M.

Asthana/
1.2.02.