

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1648 OF 2004

ALLAHABAD, THIS THE 29th DAY OF JULY 2005

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Gajendra Pal Singh,
Son of Late Ram Baboo,
Resident of Village and Post Mant
Tehsil Mant, District Mathura.

..... Applicant

(By Advocate : Shri D.S. Singh/Sri H Singh)

VERSUS

1. The Union of India through Secretary of Communication Department (Post & Telegram) Central Government, New Delhi.
2. The Chief Post Master General, U.P. Circle Lucknow, Department of Dak and Postal Service, Lucknow.
3. The Senior Superintendent of Post Offices, Mathura, District Mathura

..... Respondents

(By Advocate: Sri Saumitra Singh)

ORDER

By this O.A. applicant has sought quashing of the order dated 22.07.2002 whereby his request for grant of compassionate appointment was rejected. He has further sought a direction to the respondents to consider appointment of the applicant under dying in harness rules in the department of Post and Telegraph in District Mathura on a suitable post.

[Signature]

2. It is stated by the applicant that his father had died on 28.01.2000 while in a harness. He immediately applied for compassionate appointment which was rejected vide order dated 22.07.2002 by a cryptic order against which he gave a representation to the Chief Post Master General U.P. Circle Lucknow on 02.03.2003 but the same has not been decided till date. Therefore, he had no other option but to file the present original application.

3. I have heard counsel for the applicant and perused the pleadings as well.

4. Perusal of the order dated 22.07.2002 passed by the Senior Superintendent of Post Offices shows neither any details have been given ^{condition} regarding pecuniary contention of the applicant nor it has been explained how applicant did not come within the limit of number of vacancies of 5% quota. The order is rather very cryptic.

5. However, since applicant has already given his representation to the P.M.G., I think ends of justice would be met if direction is given to the P.M.G. i.e. respondent No.2 to get the matter verified and to pass a reasoned and speaking order thereon within a period of 3 months, from the date of receipt of a copy of this order, under intimation to the applicant. It goes without saying that while passing the order the number of dependents left by the deceased, any other income in the family, number of minor children or unmarried daughters whether they have their own land for cultivation, house ^{for} living or any other source of income should be taken into consideration and it should be explained how applicant does not come within the limited number of vacancies meant for compassionate appointment. *ordered accordingly. B*

6. With the above directions, this O.A. stands disposed off. No order as to costs.

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29/7/05

Member (J)

Shukla/-