

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the **26th** day of **February, 2008.**

HON'BLE MR. ASHOK S. KARAMADI, MEMBER- J

ORIGINAL APPLICATION NO. 1649 OF 2004

Vineet Kumar, S/o Sri Suresh Chandra Sharma,
R/o House No. 551, Anandpuri, Distt. Muzaffar Nagar.

.....Applicant.

VE R S U S

1. Union of India through the Secretary, M/o Telecommunication, Post & Telegraph Dept., Sanchar Bhawan, New Delhi.
2. Principal Chief Postmaster General, U.P., Lucknow.
3. Pravar Adhikshak, Post Office, Muzaffar Nagar Division, Muzaffar Nagar.

.....Respondents

Present for the Applicant:

Sri V.K. Srivastava

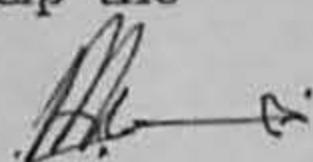
Present for the Respondents :

Sri S.C. Mishra

OR D E R

This Original Application is filed seeking quashing of the order dated 29.07.2002. By the said order, the respondents have rejected the claim of the applicant for compassionate appointment.

2. Brief facts of the case are that the father of the applicant died on 22.11.1999 while in service. Subsequently the applicant made request vide representation dated 16.08.2000 for his appointment on compassionate grounds as the legal heirs of the deceased having left with no source of income and also there is no sufficient mean to help the



family. The respondents have considered the request of the applicant and rejected his claim for compassionate appointment vide order dated 29.07.2002. Since the respondents, as per the applicant, have not considered his case in accordance with law and the rejection is arbitrary one and in that view of the matter, this Original Application is filed seeking quashment of the impugned order and sought for the relief(s).

3. On notice, the respondents have filed Counter Affidavit stating therein that the relevant rules, applicable in the matter of compassionate appointment, were followed while considering the request of the applicant. It is stated in para 11, 12, 13 and 14 of the Counter Affidavit that having taken in to consideration all the rules, instructions and guide lines issued by the Govt. of India, applicable in the matter of compassionate appointment, the case of the applicant alongwith other deserving candidates, was placed before the Circle Relaxation Committee for consideration , wherein the applicant was not found to be within the purview of compassionate appointment, hence his case was not recommended for compassionate appointment and sought for dismissal of the O.A.

4. Having heard counsel for the parties, and on perusal of the pleadings on record, I am satisfied with the reasons given by the respondents in rejection order dated 29.07.2002 that the case of the applicant alongwith other deserving candidates, was placed before Circle Relaxation Committee, who, after taking in to account the relevant rules and guide lines, have rejected the claim of the applicant for compassionate appointment being not found deserving candidate.



5. In view of the forgoing submissions, the contention of the applicant that his case was not considered by the respondents in accordance with rules and guide lines on the subject, cannot be accepted. The very object to give compassionate appointment is to help the family to get out of the emergency, which is indigent and deserves immediate assistance for relieve from financial destitution. Having regard to the same, the case is to be looked into. In the case in hand, the respondents, considering the request of the applicant for compassionate appointment, have placed the same before C.R.C, who found the applicant as not more deserving than the similarly placed candidates. In that view of the matter, as the respondents have duly considered the request of the applicant alongwith other similarly placed candidates, I do not find any justifiable ground to interfere with the impugned order and accordingly the O.A is dismissed.

6. There shall be no order as to costs.


MEMBER- J.

/Anand/