

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD**

ALLAHABAD this the 19th day of July, **2007.**

HON'BLE MR. P.K. CHATTERJI, MEMBER-A

ORIGINAL APPLICATION NO. 1018 OF 2004

Triloki Nath Yadav, S/o late Huberaj Yadav, aged about 30 years, R/o Village Ganhauna, Post Rampur, District Jaunpur

.....Applicant

V E R S U S

1. Union of India through the Secretary, the Secretary, Ministry of Communication, Department of Posts, Dak Bhawan, New Delhi.
 2. The CPMG, U.P. Circle, Lucknow.
 3. P.M.G., Allahabad.
 4. Supdt. Of Post Offices, Jaunpur Division, Jaunpur.
-Respondents

Present for the Applicant: Sri Arvind Tripathi.
Present for the Respondents: Sri S. Singh.

O R D E R

The applicant has sought compassionate appointment with the respondents-department after the death of his father, while in service, on 25.6.1999. The application was considered by the Department through Circle Relaxation Committee (in short C.R.C.). However, it was rejected. In the order of rejection, it was stated that the applicant's family was granted family pension and are also in possession of the residential house of their own. This position has, however, been controverted by the learned counsel for the applicant by saying that the same are not factually correct. On 27.10.2006, during the course of hearing, the learned counsel for the respondents was directed to

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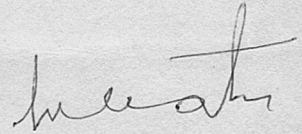
file an affidavit clarifying these points made by the applicant. The learned counsel for the respondents has filed Supplementary Affidavit dated 14.12.2006 clarifying the matter wherein it has been stated that due to certain omission made by the respondents-department incorrect information had been sent to the C.R.C. that the applicant was getting family pension which formed one of the grounds for rejection of the request. It is, however, admitted that the said information has wrongly & inadvertently been sent by the respondents-department which was being deeply regretted.

2. The learned counsel for the respondents has, however, stated that even if ^{after admitting} ~~discounting~~ this error on the point of the respondents, the request of the applicant is otherwise not deserving one. The respondents have furnished certain information regarding family and the ^{stable} ~~status~~ of its indigence in the affidavit as justifying their decision in the rejection. However, the point remains that the representation of the applicant was considered by the C.R.C. on the basis of certain wrong information furnished by the respondents. One does not know what ^{would have been} ~~is~~ the fate of the application if the correct information was furnished, therefore, the representation of the applicant deserves to be considered afresh by the C.R.C. as per rules and guidelines set by the DOP&T in the matter. I am not passing any judgment ^{on the merit} ~~in this O.A.~~ However, keeping in view of the matter, it is, ~~however~~, directed that the respondents will take representation of the applicant afresh for consideration. This should be placed before the C.R.C. which is ^{convened} ~~conveying~~ immediately after receipt of copy of this order with correct

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factual information and should be considered ^{with} open mind
without raising the issue of it is being too old for consideration.

3. With these directions, the O.A. stands disposed of ~~as~~
~~above~~ with no order as to costs.



MEMBER-A

GIRISH/-