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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Dated: This the 12TH day of May , 2006.

Original Application No. 137 of 2005

Hon'ble Mr. K.B.S. Rajan, Member (J)

Pravin Kumar Thator, S/o late Ram Kishun, R/o House  
No. SH/19/84 Bhim Nagar, Cantt., Varanasi

.....Applicant

By Adv: Sri V.K. Srivastava

V E R S U S

1. Union of India through its Secretary, Ministry of Telecommunication, Department of Posts, New Delhi.
2. Director Postal Services, Allahabad.
3. Chief Post Master General, U.P. Circle, Lucknow.
4. Senior Superintendent of Post Offices, East Zone, Varanasi. Kanpur.

.....Respondents

By Adv: Sri S.Singh

O R D E R

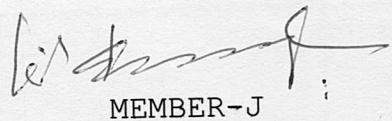
The admitted fact is that the mother of the applicant was given the compassionate appointment in the wake of the demise of her husband. This means that the case of the family was deserving and thus, the appointment was offered. However, the mother of the applicant being a cancer patient, unfortunately succumbed to the disease. This is also admitted fact. In that event, the department ought to have retained the deserving status of the family and in

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the event of any other family member applying for compassionate appointment, ought to have considered in accordance with rules. This has not been done. It is not the case of the respondents that after the demise of the mother, the financial condition of the remaining dependent members of the family of the deceased government servant improved. In fact nothing has been considered at all by the respondents.

2. The OA therefore, deserves to be allowed to the extent that the respondents shall consider the case of the applicant, keeping in view the deserving status as already decided and only comparing the same with the other claimants for compassionate appointment and if the case of the applicant is found deserving, necessary offer of appointment be made to the applicant. In case the applicant's case was not comparatively found that deserving, then details thereof with a comparative statement be made available to the applicant. The case of the applicant shall be considered in the next C.R.C. No costs.

  
MEMBER-J

GIRISH/-