

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 28TH DAY OF MAY 1997

Original Application No. 1405 of 1995

HON.MR.JUSTICE B.C.SAKSENA,V.C.

- 1.!. Smt. Laxmi Devi, wife of late Bhola Nath  
Ex-post Man, posted at City Post  
office, Allahabad.
2. Amar Nath, S/o Late Bhola Nath,  
Ex-Post Man, posted at City Post  
Office, Allahabad, both residents of  
645- Colonelganj, Lane of Arya Samaj  
District Allahabad.

Applicants

By Advocate Shri T.K. Srivastava

Versus

1. Union of India through Secretary  
Ministry of Post & Tele Communication  
New Delhi.
2. Post Master General, Uttar Pradesh  
Lucknow.
3. Senior Supdt. Post Offices,  
Allahabad.

Respondents

By Advocate Shri S.C. tripathi

O R D E R(Oral)

JUSTICE B.C.SAKSENA,V.C.

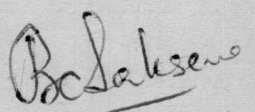
Heard learned counsels for the parties. The admitted facts are that Bhola Nath, father of applicant no.2 and husband of applicant no.1 died on 6.8.73. The applicant's case is that at the time of the death of Bhola Nath applicant no.2 was a minor. He attained ~~the~~ majority in the year 1987 then a representation was preferred by applicant no.1 seeking compassionate appointment of applicant no.2. The grievance of the applicant is that despite several reminders to the said representations having got no response the counsel for the applicant urged that the respondents may atleast directed to decide the representation dated 25.8.87 made by the applicant no.1.

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2. In the counter affidavit the respondents have denied receipt of the said representation or reminders. The learned counsel for the applicant submitted that the postal receipts in support of the averment that the representation <sup>were</sup> submitted had been filed alongwith the OA. That may be so, ~~x~~<sup>x</sup>

3. It was put to the learned counsel for the applicant to indicate any Statutory provision or Executive instructions on the basis of which the claim of the applicant no.2 for grant of compassionate appointment after a lapse of more than 20 years can be considered by the respondents. The learned counsel for the applicant fairly conceded that neither any statutory provisions nor executive instructions are there. In view of this it would be only a futile exercise to be required to undergo <sup>be</sup> <sub>ne</sub> by the respondents ~~to~~ to decide the applicant's representation.

4. In view of the above, the OA fails and is summarily dismissed.



VICE CHAIRMAN

Dated: 28th May, 1997

Uv/