

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH ALLAHABAD.

Original Application No.303 of 2000.

Tuesday this the 11th day of March 2003.

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Amit Kumar  
S/o Shri Ram Ashrey Gupta  
R/o 86/203 Raipurwa  
Kanpur.

.....Applicant.

(By Adv: Sri N.K. Sharma)

Versus.

1. Union of India  
through Post Master General  
U.P. Lucknow.
2. Senior Superintendent of Post Offices City  
Kanpur.
3. Post Master Nawab Gunj  
Head Office Kanpur.

.....Respondents.

(By Adv: Sri S Chaturvedi)

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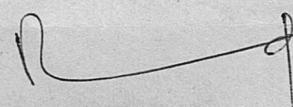
By this O.A., filed under section 19 of Administrative Tribunals Act 1985, the applicant has prayed for quashing the order dated 29.4.97 (Annexure No.1) by which the claim of the applicant for compassionate appointment has been rejected. It is not disputed that the applicant's father died as contingent paid waterman. He was never absorbed as regular employee. Hence the benefit of appointment to the dependent by relaxation of the Rules cannot be extended.

Hon'ble Supreme Court in case of State of Haryana & Ors. Vs. Rani Devi and another JT 1996 (6) S.C.646 has held that the expression 'employee' - It does not conceive casual or purely adhoc employee or those working as apprentices. It has also been held that the appointment on compassionate grounds



cannot be claimed as a right of inheritance irrespective of the nature of service rendered by the deceased employee. If the scheme regarding appointment on compassionate ground is extended to all sort of casual, ad-hoc employees including those who are working as Apprentices, then such scheme cannot be justified on constitutional grounds. The judgement is squarely applicable in the present O.A. The O.A. has no merit and accordingly dismissed.

No order as to costs.

  
Vice-Chairman.

Manish/-