

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 17th day of July, 2001.

Original Application No.428 of 2000.

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

~~Other members of the panel~~

1. Udai Raj Yadav

2. Abhai Raj Yadav

Both sons of Late Sri Mohan Lal Yadav,

Resident of Chack Shivcher,

Post-Lalapur, Bhatpura,

District-Allahabad.

(Sri JN Singh/Sri BN Singh, Advocates)

• Applicants

Versus

1. Union of India through

Secretary Posts, Ministry of Communication,

Government of India, New Delhi.

2. Chief Post Master General,

U.P. Circle, Lucknow.

3. Senior Superintendent of Post Offices,

Allahabad.

(Sri R.C. Joshi, Advocate)

• Respondents

O R D E R (or a l)

By Hon'ble Mr. SKI Naqvi, J.M.

Sri Udai Raj Yadav and Sri Abhai Raj Yadav have come seeking relief to the effect that the respondents be directed to appoint applicant no.1 Udai Raj Yadav on compassionate ground and also for a direction to decide the pending representation of the applicant keeping in view the departmental circulars and laws laid down by the Hon'ble Apex Court.

2. As per applicant's case their father late Mohan Lal Yadav died in harness while working as Postman in

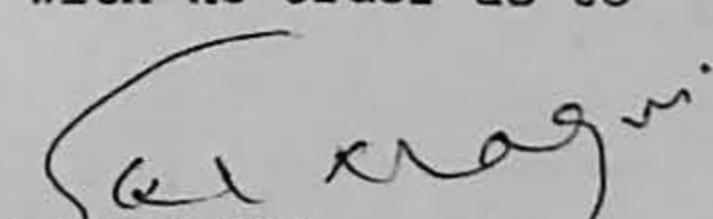
S/Naqvi

respondents' establishment on 17-11-1977. At that time applicant no.1 was hardly 1 and 1/2 years old and the applicant no.2 was of 5 months. The mother of the applicant also died within a month or so after the death of her husband. The applicants were brought up by their uncle. It was on 10-12-1986 that the uncle of the applicant filed an application for compassionate appointment. When came to the age of understanding, the applicants themselves moved an application on 20-8-1991 for appointment on compassionate ground which was processed and respondent no.3 called for relevant documents to consider their matter which was complied with and thereafter the applicants sent repeated reminders from 1995 to 1999 but of no avail and, therefore, they have come up seeking the above relief.

3. The respondents have contested the case, filed counter reply with the mention that the applicants moved for compassionate appointment after lapse of more than 12 years and, therefore, their belated move could not be considered favourably.

4. Heard Sri JN Singh, counsel for the applicant and Sri RC Joshi, counsel for the respondents and perused the record.

5. Keeping in view the facts and circumstances of the matter it is found expedient to provide another opportunity to the applicant to move a fresh representation within two weeks, and if so moved, the same be decided within three months thereafter. In case the request of the applicant is not acceded to a detailed speaking reasoned order be passed with specific mention of rules and law on the point with copy to the applicant. The OA is disposed of accordingly with no order as to costs.


Member (J)

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