

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

ORIGINAL APPLICATION NUMBER 1297 OF 2002

WEDNESDAY, THIS THE 4th DAY OF DECEMBER, 2002

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Km. Hemlata Rana,  
d/o Late Nand Kishor Rana,  
r/o Village: Kuwa Khera, Post: Moora Kishano,  
District Udhampur Singh Nagar,  
at present R/o Head Post Office Colony,  
Pilibhit.

...Applicant

(By Advocate Shri P. N. Gangwar)

**V E R S U S**

1. The Chief Post Master General,  
Lucknow.
2. The Senior Superintendent of Post,  
Post Office, Bareilly.
3. The Post Master General,  
District-Bareilly.
4. The Head Post Master,  
District- Pilibhit.
5. The Union of India through Secretary,  
Ministry of P & T,  
New Delhi.

....Respondents

(By Advocate Shri R.C. Joshi)

**O R D E R**

Hon'ble Mrs. Meera Chhibber, J.M.

By this O.A. the applicant has sought a direction to the respondents to appoint the applicant on compassionate ground under the Dying in Harness Rules on the post for which she is qualified. She has also sought a direction to the respondents not to dispossess the applicant from the House in which she is living with Mother and 2 sisters and has further sought a direction to decide the representation of the applicant dated 22.11.2001 in accordance with law.

//2//

2. It is submitted by the applicant that her father died in harness on the post of Mail Overseer, Pilibhit on 26-06-2000. Thereafter, the applicant gave an application for compassionate appointment in place of her father.

3. The respondent called for the documents vide their letter dated 14-09-2000 which were duly sent by the applicant in October, 2000 and yet without disposing of the representation of the applicant, the respondents have issued a letter dated 18-06-2002 calling upon them to vacate the residence.

4. I have seen the representation given by the applicant wherein she has stated that after the death of her father she being the eldest daughter, the whole responsibility of the family consisting of two minor sisters one mother and grand parents has come on her shoulders as the brother is living separately and not looking after the family. It is submitted by the applicant 's counsel that till date no reply has been given to the applicant on her representation.

5. Learned counsel for the respondents on the other hand submitted that as per applicant's own averment which are seen from Page-22 of the O.A, the family of Late Shri Nand Kishor has a house which is estimated at around Rs. 2.00 lakhs and she also earns a monthly income of Rs. 2500/- from Family Pension and by working in the agricultural fields. He has also submitted that Annexure-10 also seems to be not a real document, <sup>as</sup> Mainital and Pilibhit are two different district cannot write to the Assistant Superintendent of Post Office of the other districts to consider the case of the applicant for compassionate grounds, as these directions can only be given by the Post Master General.



6. I have heard both the counsel and perused the pleadings.

7. Since the applicant's counsel has specifically stated that respondents have not decided the representation given by the applicant so far. I think ends of justice will be met by disposing of this application at the stage of admission <sup>itself</sup> by directing the respondents to dispose of the representation dated 01.09.2000 by passing a detailed and reasoned order within a period of 2 months from the date of receipt of a copy of this order and till such time the representation is decided, respondents are restrained from evicting the applicant from house. In the meantime, respondents are directed to maintain the status-quo, with regard to the quarter allotted to the father of the applicant.

8. With the above directions, the O.A. is disposed of with no order as to costs.

  
MEMBER (J)

shukla/-