

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

DY. NO.4796/02 IN ORIGINAL APPLICATION NO. 1579/2002

MONDAY, THIS THE 27TH DAY OF JANUARY, 2003

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

Premchand Chauhan,
S/o Late Sri Balkrishan Ram,
aged 32 years,
R/o Village Harnashan (Parasia),
P.O. Rasara,
District Ballia.

... APPLICANT

(By Advocate Shri M.S. Chauhan)

Versus

1. Union of India, through
Secretary,
Ministry of Communication,
Department of Post,
New Delhi.
2. The Chief Post Master General,
State of U.P.,
Lucknow (Appointing Authority).
3. Superintendent of Post Office,
Ballia.

... RESPONDENT

(By Advocate Shri R.C. Joshi)

ORDER

By this O.A., the applicant has challenged the order dated 4.8.1998, whereby, he has been informed that the Chief Post Master General has not acceded to his prayer for compassionate appointment.

2. It is submitted by the applicant's counsel that while rejecting the claim of the applicant, respondents have not given any ground and it is absolutely a non speaking order. Therefore, it is liable to be quashed on this ground as respondents are under/obligation to atleast consider the financial condition of the dependents of the deceased employee and then pass a speaking order.



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3. I have seen the order passed by the respondents and have heard the counsel as well.

4. Counsel for the respondents was seeking time to file his counter affidavit. But, since the impugned order is absolutely a non speaking order and is passed in a mechanical and stereo type manner, I do not think any purpose would be served by calling the counter affidavit from the respondents.

5. Accordingly, this case is being disposed of at the admission stage itself by remitting the matter back to the authorities with a direction to re-consider the case of the applicant in view of the submissions made by him and then pass a reasoned and speaking order within a period of two months from the date of receipt of a copy of this order.

6. With the above direction, this O.A. is finally disposed of.



MEMBER (J)

psp.