

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 07th day of June 2002.

Original Application No. 654 of 2002.

Hon'ble Mr. S. Dayal, Member- A.

Smt. Kamlesh Kumari W/o Late Satya Prakash  
R/o Maulagarh, Chandausi, Distt. Moradabad.

.....Applicant

Counsel for the applicant :- Sri R.P.S Chauhan

V E R S U S

1. Chief Post Master General, U.P. Parimandal,  
Postal Department, Lucknow.
2. Post Master General (Posts), Bareilly.
3. Senior Superintendent of Post Offices,  
Moradabad Division, Moradabad.
4. Post Master, Amroha, Distt. J.P. Nagar, U.P.
5. Union of India through the Secretary,  
M/o Communication, D/o Post, New Delhi.

.....Respondents

Counsel for the respondents :- Sri R.C. Joshi

O R D E R

(By Hon'ble Mr. S. Dayal, Member- A.)


This application has been filed for a direction to respondent Nos. 1 to 5 to provide service to the applicant to which she is entitled on compassionate ground.

2. The applicant's husband was a Postal Assistant in the department. He died while in employment on

12.05.1997 leaving behind his wife and four minor children within age from 4 to 12 years. It is claimed that the family was left in indigent circumstances because she had no source of income. The wife aged 30 years, who is the applicant in this case, applied for compassionate appointment. The Chief Post Master General, U.P. Circle, Lucknow ordered the appointment of the applicant on class-IV post by his order dated 10.12.1998. The Senior Superintendent of Post Offices, Moradabad Division thereafter directed Post Master, Amroha to permit the applicant to join her service on the post of Out Sider in class IV employment by his order dated 09.02.2001. It is stated that the Post Master, Amroha has not allowed the applicant to join her duties. The applicant also gave her acceptance for doing job in any department of Ministry by her letter dated 27.03.2001. Thereafter, Senior Superintendent of Post Offices (respondent No. 3) asked Post Master, Amroha who is respondent No. 4 in the O.A to carry-out the formalities for appointment of the applicant and allow her to join her services by his letter dated 23.10.2001.

3. I have heard Sri R.P.S Chauhan, learned counsel for the applicant and Sri R.C. Joshi, learned counsel for the respondents.

4. Since the case deserves an urgent consideration as by order dated 10.12.1998, the Chief Post Master General had accepted that family was left in indigent circumstances and had granted his approval to appointment of the applicant on a group 'D' post. As yet the applicant is without employment after expiry of 3-1/2 years, a short opportunity was given to learned counsel for the respondents to file counter reply. No counter



reply has been filed in this case.

5. The Hon'ble Supreme Court in case of Shushma Gosain Vs. U.O.I and Ors. has laid down that once the Government decides to give compassionate appointment to a person, the same shall be done expeditiously. (Sushma Gosain v U.O.I. AIR 1989 SC 1976) *l*  
The ratio of this judgment of the apex court is that *l*  
for this purpose, if it becomes necessary, a post may be created for the intervening period. The respondents have not taken care to see that compassionate appointment in this case is given <sup>as</sup> soon as the sanction of Chief Post Master General is received. The matter appears to <sup>have</sup> been *l* treated very casually by the subordinates of the respondent No. 1.

6. The Chief Post Master General, U.P. Circle (respondent No. 1) is, therefore, directed to see that his order dated 10.12.1998 is complied within one month so that the applicant is helped in bringing up her minor children.

7. The cost amounting Rs. 1000/- of the application shall be paid to the applicant .

*Anand*  
Member- A.

/Anand/