

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

original Application no. 611 of 2003.

this the 30th day of May 2003.

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

Smt. Tahira Begum, w/o late Shekh Mehmood, R/o Village & post Khargasipur alias Nai Bazar, Zamania, District Ghazipur.

Applicant.

By Advocate : Sri S. Verma.

Versus.

1. Union of India through Secretary, Ministry of Communication, Department of Posts, New Delhi.
2. Sahayak Dak Adhikshak, Zamania Up Mandal, Ghazipur.
3. Post Master General, U.P., Allahabad.
4. Sri B.L. Ram, Sahayak Dak Adhikshak, Zamania Up Mandal, Ghazipur.

Respondents.

By Advocate : Sri G.R. Gupta.

ORDER (ORAL)

By this O.A., applicant has sought the following relief(s):

"(i) quash the advertisement dated 28.4.2003 (Annexure A-1 to the compilation no.1).

(ii) direct the respondents to appoint the applicant on the post of postman/Gramin Dak Sewak/ Dak Vitark/Vahak in Khargasipur, Nai Bazar, Zamania, Ghazipur.

(iii) -----.

(iv) -----."

2. It is submitted by the applicant that her husband Shekh Mehmood was a postman/Gramin Dak Sewak/Dak Vitark/Vahak and was posted in Khargasipur, Nai Bazar, Zamania Up Mandal, Ghazipur. Unfortunately, he died on 17.4.2003 leaving behind the widow i.e. the applicant alone in the world. There is nothing on which the applicant could survive, therefore, she gave an application for compassionate appointment within a week of her husband's death

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(Annexure A-1), which was followed by reminder on 5.5.2003 (Annexure A-2), but till date, respondents have not passed any order on her application, but have advertised the post of postman/Gramin Dak Sewak/Dak vitrak/Vahak on 28.4.2003. It is submitted by the applicant ~~unless some orders are passed~~ at this stage, ^{R.W.B.} that the interest of the applicant would be protected because than the respondents would say that there is no vacancy for the applicant. ~~now~~ Since she has already applied for compassionate appointment, let a direction be issued to the respondents to atleast dispose off her representation ^{R.W.B.} before proceeding the selection for appointment on regular basis. The Counsel for the applicant submitted that ~~she is~~ the applicant ~~was~~ prepared to work on any post whether it is sweeper or any other class IV post, though the same is not mentioned in the O.A.

3. I have heard counsel for the applicant and perused the pleadings on record.
4. Admittedly, applicant's husband died on 17.4.2003 and she has given an application for compassionate appointment on 25.4.2003 i.e. just one month before the filing of the O.A. In normal course, I would not have entertained this petition as some reasonable time has to be given to the respondents to respond to the representations made to them, but in this case since the respondents have already advertised the post of postman/Gramin Dak Sewak/Dak vitrak/Vahak on 28.4.2003, I think that it would be in the interest of justice if a direction is given to the respondents to consider the claim of the applicant in accordance with law ~~and she should be given~~ for grant of compassionate appointment on any post including Group 'D' post on ~~compassionate service~~ exercise the respondents shall pass a reasoned and detailed order within a period of two months from the date of communication of this order. It is made clear that in the meantime, if any, appointment is made

pursuant to the advertisement dated 28.4.2003, that shall be subject to the final out-come of the representation filed by the applicant, and it shall be so mentioned in the appointment letter, if issued prior to the disposal of the representation.

5. With the above directions, O.A. stands disposed off with no order as to costs.



MEMBER (J)

GIRISH/-