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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 142 of 1990.

Date of decision : August 18th, 1993.

N. Krishnamurty Dora ...

Applicant.

Versus

Union of India and others ...

Respondents.

(FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ?

km 18/8/93
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No.142 of 1990.

Date of decision : August/8th, 1993.

N-Krishnamurty Dora ... Applicant.

Versus

Union of India and others ... Respondents.

For the applicant ... M/s.S.Kr.Mohanty,
S.P.Mohanty, Advocates.

For the respondents ... Mr.Ashok Misra,
Sr.Standing Counsel(Central)

C O R A M:

THE HONOURABLE MR. K. P. ACHARYA, VICE-CHAIRMAN.

JUDGMENT

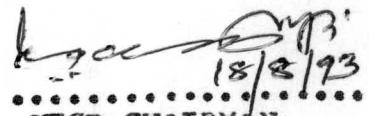
K. P. ACHARYA, V.C., In this application under section 19 of the Administrative Tribunals Act, 1985, the applicant prays for a direction to the respondents to give an appointment to his son on compassionate grounds in relaxation of normal recruitment Rules.

2. The applicant while working as Overseer of Mails retired on ground of invalidation on 1.5.1982 as he was physically declared/unfit as while performing duty a mad jackal had beaten him. Representations filed by the applicant before the Post MasterGeneral and DirectorGeneral, Posts and Telegraphs, New Delhi not having yielded any fruitful result, this application has been filed.

3. In their counter, the respondents maintained that the case of the applicant could not be favourably considered by the Relaxation Committee because the applicant

retired on invalidation ground just 9 months before the usual period of superannuation namely after attaining the age of 55 years. Instructions of the Ministry of Home Affairs contained in O.M. No. 14014/10/80 Estt. (D) dated 18.3.1982 do not provide for favourably considering ~~the~~ cases of this nature.

4. After hearing Mr. S. P. Mohanty, learned counsel for the applicant and Mr. Ashok Misra, I am of opinion that the aforesaid instructions stand as a bar to consider the case of the applicant. Therefore, I find no merit in this application which stands dismissed leaving the parties to bear their own costs.


..... 18/8/93

VICE-CHAIRMAN.

Central Administrative Tribunal,
Cuttack Bench, Cuttack.
August , 1993/Sarangi.