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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH :CUTTACK

O.A. No.678 of 1992

Date of decision: May 11, 1993

Artatrana Mishra

Applicant

Versus

Union of India and others

Respondents

For the Applicant ... M/s Devanand Misra,
Deepak Misra,
R.N.Naik,
A.Deo,
B.S.Tripathy,
P.Panda,
Advocates

For the Respondents ... Mr.Uma Ballav Mohapatra,
Additional Standing Counsel
(Central)

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CORAM:

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

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1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not? *ND*.
3. Whether His Lordship wish to see the fair copy of the judgment? Yes.

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JUDGMENT

K.P.ACHARYA, V.C.

In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for compassionate appointment.

2. Petitioner's father Bhagirathi Mishra was working as Branch Post Master, Kishore Prasad Branch Post Office. Suddenly Bhagirathi expired on 16.6.1984. His son (the present petitioner) has filed this application for compassionate appointment.

3. In their counter, the Opposite Parties maintained that the petitioner's application for compassionate appointment, filed in the year 1984, stood rejected because he was, at that time, a minor. Thereafter no representation has been filed by the petitioner especially after attaining majority and therefore, the authority was not in a position to give him any appointment on compassionate ground. Apart from the above, it is maintained by the Opposite Parties that the prevalent rules do not permit the petitioner to be appointed on compassionate ground and therefore, the application should be in limine dismissed.

4. I have heard Mr. Deepak Misra learned Counsel appearing for the petitioner and Mr. Uma Ballav Mohapatra learned Additional Standing Counsel (Central) for the Opposite Parties. The fact that the petitioner's father died on 16.6.1984 in harness was not disputed before me.

Rightly the representation of the petitioner, filed in

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the year 1984, was rejected on the ground of minority. But now the petitioner has attained majority and the fact that the petitioner's father died in harness is not disputed and the fact that the Government of India has enforced a scheme for compassionate appointment, I feel that this is a fit case in which personal sympathy of the Chief Post Master General should be drawn and I hereby strongly recommended the case of the petitioner Shri Artatrana Mishra to Mr. B.K. Mohanty Chief Post Master General, Orissa Circle to take a compassionate view over the petitioner and I hope and trust that Mr. Mohanty, Chief Post Master General would pass necessary orders giving a compassionate appointment to the Petitioner within ninety days from the date of receipt of a copy of the judgment.

5. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.

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11.5.93
VICE CHAIRMAN

Central Administrative Tribunal,
Cuttack Bench, Cuttack/K. Mohanty/
11.5.93.