

Serial No. of Order	Date of Order	Order with Signature
2.	14.10.96.	<p style="text-align: center;"><u>O.A. NO.736 OF 1996.</u></p> <p>Though this matter was listed for admission, on the consent and at the request of the learned counsel for the parties, the same is taken up for final disposal.</p> <p style="text-align: center;">Admit.</p> <p>Heard Shri Pradipta Mohanty, learned counsel for the applicant and Shri U.B.Mohapatra, learned Addl. Standing Counsel for the respondents.</p> <p>The applicant is aggrieved against Annexure-2 the order of the Department of Post, dated 6.5.1996 communicated by the respondent No.3, denying the applicant the compassionate appointment on the ground that he happens to be the grandson of late Nath Sethi and there is no provision of compassionate appointment for a grand son.</p> <p>The brief facts leading to the present application are that Nath Sethi died on 11.8.1995 while working as E.D.M.C. in Kalunigoda B.O. in the accounts of Jenapur S.O. at the age of 62 years. His widow Smt. Gouri Sethi and his son Budhimata Sethi do not admit to have any qualification for the appointment as E.D.M.C. But immediately on the death of Nath Sethi, the applicant Kailash Sethi, his grand son, was appointed as E.D.M.C. provisionally on 14.8.95 awaiting the decision of the Circle Relaxation Committee on his claim for compassionate appointment. It was only on 3.8.1996 after putting him in service for one year that his services were terminated. Learned counsel for the applicant Shri P.Mohanty urged that as the main objective of the scheme is to relieve the distress/^{-ed} family from the dire penury, the same would be better served by appointing even the grand son of the deceased.</p> <p>Learned Additional Standing Counsel Shri Mohapatra argued that when the rules do not permit, for consideration of a grand son for a compassionate appointment, such an appointment cannot be made. He defended the orders of the Circle Relaxation Committee.</p>

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2 dt.14.10.96 continued.		<p style="text-align: center;">: 2 :</p> <p>The fact remains that the applicant was appointed for one year as E.D.M.C. and he had gained sufficient experience from the said posting. It is stated that the post of E.D.M.C. on the death of Nath Sethi in Kalunigoda B.O. has not yet been filled up. The respondents shall consider the claim of the applicant giving due weightage to his experience while filling up the post of E.D.M.C. in Kalunigoda Branch office on regular basis. They shall also consider the case of the applicant whenever there is a vacancy in any Branch office in the vicinity of his village giving due weightage to his experience.</p> <p>With the aforesaid observations, the Original Application is disposed of.</p> <p style="text-align: center;"><u>Maanusha</u> MEMBER (ADMINISTRATIVE).</p> <p style="text-align: right;">04.736/2 D1-14.10.96</p> <p>A copy of Order may be given to both the Comell.</p> <p style="text-align: right;">Recd. 31/10/96</p> <p style="text-align: right;">Dhruv 31.10.96 S.O.(7)</p> <p style="text-align: right;">Received a copy copy now 1-11-96</p> <p>A copy of Order of 14.10.96 along with the notice may be sent to all or by Regd Post / A.D.</p> <p style="text-align: right;">12/10/96</p> <p style="text-align: right;">Dhruv 12.10.96 S.O.(7)</p>	