

Serial No. of Order	Date of Order	Order with Signature
2.	14.10.96.	<p data-bbox="644 368 1041 397"><u>O.A. NO.736 OF 1996.</u></p> <p data-bbox="417 471 1491 652">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. Admit.</p> <p data-bbox="417 676 1475 809">Heard Shri Pradipta Mohanty, learned counsel for the applicant and Shri U.B.Mohapatra, learned Addl. Standing Counsel for the respondents.</p> <p data-bbox="417 828 1530 1110">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 data-bbox="417 1129 1530 1964">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 data-bbox="417 1984 1553 2217">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 gain^{ed} 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;"><i>Marasimban</i> MEMBER (ADMINISTRATIVE).</p>	<p>Order no. 2 Dt-14.10.96</p> <p>A copy of Order may be given to both the Council.</p> <p><i>Adh.</i> 31/10/96</p> <p><i>Adh.</i> 31.10.96 S.O.(7)</p> <p>Received a loose copy <i>Adh.</i> 1-11-96</p> <p>A copy of Order dt. 14.10.96 along with the notice may be sent to all O.T by Regt. Post / A.D.</p> <p><i>Adh.</i> 12/11/96</p> <p><i>Adh.</i> 12.11.96 S.O.(7)</p>