

9

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 207 OF 1998.

Cuttack, this the 16th day of July, 1999.

Radha Sahu.

....

Applicant.

- Versus -

Union of India & Others.

....

Respondents.

FOR INSTRUCTIONS

1. Whether it be referred to the reporters or not? Yes
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not? No

(G. NARASIMHAM)  
MEMBER (JUDICIAL)

Somnath Som  
VICE-CHAIRMAN  
16.7.99

CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 207 OF 1998.

Cuttack, this the 16th day of July, 1999.

CORAM:

THE HONOURABLE MR. SOMNATH SOM, VICE - CHAIRMAN

AND

THE HONOURABLE MR. G. NARASIMHAM, MEMBER (JUDICIAL).

....

Radha sahu, aged about 61 years,  
Wife of . Late Pankaj sahu,  
At/Po. Tenda Padar , Via-(P) Rampur,  
Dist. Bolangir.

... Applicant.

By legal Practitioner : M/s. J.R. Dash, Mrs.K.L. Dash, Advocates.

- Versus-

1. Union of India represented through the  
Chief Postmaster General, Orissa Circle,  
Bhubaneswar, Dist. Khurda.
2. Postmaster General, Sambalpur,  
At/Po/Dist. Sambalpur.
3. Superintendent of post Offices,  
Bolangir Division, Bolangir,  
At/Po/Dist. Bolangir.
4. Sub Divisional Inspector (Postal),  
Patnagarh Sub division, Patnagarh,  
Dist. Bolangir.

... Respondents.

By legal Practitioner : Mr. A.K. Bose, Senior Standing  
Counsel (Central).

....

O R D E R

*J Som* . MR. SOMNATH SOM, VICE-CHAIRMAN:

In this original Application under section 19  
of the Administrative Tribunals Act, 1985, applicant has  
prayed for compassionate appointment to her in place of  
her husband.

2. Facts of this case according to applicant are  
that her husband was working as EDBEM, Tendapadar Branch Post

//2//

Office and passed away while working as such on 5.1.1995. Application was initially submitted for giving compassionate appointment to the son of applicant Krupasindhu Sahu but no action was taken on this. Subsequently, applicant filed a petition on 17.8.1996 to consider herself for the purpose of compassionate appointment and she was asked to submit the necessary papers which also she did. But no action was taken on her petition whereas the Departmental Authorities have taken up recruitment process for filling up of the post of EDBPM, Tendapadar Branch Post Office and that his how, she has come up in this original Application with the prayer referred to earlier.

3. Respondents, in their counter have stated that after the death of the petitioner's husband, question of compassionate appointment was taken up but it was found that the eldest son of the petitioner and the deceased ED employee is working as a teacher in a Government Upper Primary School, at patnagarh and all the grown up daughters have already been married. The second son for whom compassionate appointment has been sought has also got a job as a Teacher in a High School at Garh Shankar Dunguripali. On a reference made to the Head master of the School, he confirmed that the second son of the applicant is serving as Assistant Teacher in the School from June, 1995. As regards the appointment of applicant herself, the case was considered and put up before the Circle Relaxation Committee which found that there is no liability of the family and the family is not in indigent condition. It was also noted that the applicant submitted

J. Som

12  
//3//

an educational certificate from Dhandamunda Girls Up School but on enquiry, the headmaster of the School reported that no person named Radha Sahu had ever studied in the school. In view of this, Respondents have opposed the prayer of applicant.

4. Today, when the matter was called, learned counsel for applicant was absent nor any request was made on his behalf seeking adjournment. In this matter pleadings have been completed long ago and this is a matter for compassionate appointment. Therefore, the matter can not be allowed to drag on indefinitely. We have, therefore, heard Mr. A.K. Bose, learned Senior Standing Counsel appearing for the Respondents and perused the records.

5. Respondents, in their counter, have stated that applicant has no educational qualification and she also does not know how to read and write except to put his signature and therefore, she can not manage the work of the Post office as EDBFM/EDMC etc. We also note that applicant is aged 61 years old. In view of the above, we do not find that the Departmental Authorities have been wrong in rejecting the petitioner's prayer for compassionate appointment for herself. This Original Application, is, therefore, held to be without any merit and is rejected. No costs.

(G. NARASIMHAM)  
MEMBER (JUDICIAL)

Somnath Som  
(SOMNATH SOM)  
VICE-CHAIRMAN  
16.3.89

KNM/CM.