

6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 106 OF 1999.
Cuttack, this the 24th day of May, 2000.

AMULYADHAN BISWAL.

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APPLICANT.

VRS.

UNION OF INDIA & ORS.

.....

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.*

J. S. Dhalwal
(J. S. DHALIWAL)
MEMBER (JUDICIAL)

Somnath Som
(SOMNATH SOM)
VICE-CHAIRMAN
24/5/2000

7

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 106 OF 1999.
Cuttack, this the 24th day of May, 2000.

CORAM:

THE HONOURABLE MR. SOMNATH SOM, VICE-CHAIRMAN

AND

THE HONOURABLE MR. J.S. DHALIWAL, MEMBER (JUDICIAL).

...

SHRI AMULYADHAN BISWAL, Aged about 30 years,
S/o. Late Natabar Biswal, At: Khartang,
PO: Nurtang, Via: Kuanpal, Dist: Cuttack.

: Applicant.

By legal Practitioner : Mr. R. C. Mohanty, Advocate.

-Versus-

1. Union of India represented through its
Chief Postmaster General (Orissa Circle),
At/PO: Bhubaneswar, Dist: Khurda-1.
2. Senior Superintendent of Post Offices,
Puri Postal Division, At/PO/Dist: Puri;

: RESPONDENTS.

By Legal Practitioner: Mr. B. Dash, Additional Standing Counsel.

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S. Som

O R D E R


MR. SOMNATH SOM, VICE-CHAIRMAN:

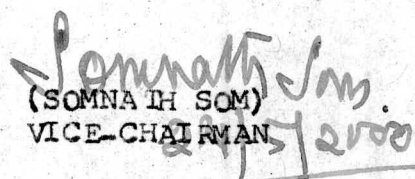
In this Original Application u/s.19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to the Respondents to reconsider the case of applicant taking into consideration the indigent condition of the family and appoint the applicant in any post in the Department .

2. Case of the applicant is that his father was working as a Gr.D in Puri Head Post Office. He died on 26.12.1997 due to cancer, leaving his widow and four children of which the present applicant is one of them. During the life time of the father of the applicant, as he was suffering from Cancer, the applicant and his brother had incurred heavy loan to defray the medical expenses of his father. It is the case of the applicant that the loans are still pending and the financial condition of the family is highly indigent. It is also stated that the terminal benefits received on account of the death of the father of the applicant have been utilised in repaying some of the loans. In view of this, the applicant has come up in this Original Application with the prayers referred to earlier.

3. Respondents have filed the counter opposing the prayer of the applicant stating that his case has been considered and has been rejected on the ground that the applicant's father has completed 36 years of service before dying in harness. The Circle Relaxation Committee has also noted that the condition of the family is not indigent. Respondents have further stated that the widow is in receipt

of pension of Rs.1760/- PM besides she has the income of Rs.4000/- per annum from the landed properties. It is further stated that the deceased Government servant left behind his widow and four children of which two daughters have already married and two sons have already become major prior to the death of the employee. On the above grounds the Respondents have opposed the prayer of the applicant. After going through the records, we find that the widow of the deceased employee is in receipt of the pension and the two sons of which one is the present applicant, have become major before the death of the father of the applicant on 26.12.1997. In consideration of this, we find nothing wrong in the findings of the Circle Relaxation Committee that this is not a fit case for compassionate appointment. In view of this, we find no merit in this Original Application which is accordingly rejected but in the circumstances, without any order as to costs.


(J. S. DHALI WAL)
MEMBER (JUDICIAL)


(SOMNATH SOM)
VICE-CHAIRMAN

KNM/CM.