

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

ORDER DT. 16.7.2001.

Heard Shri P.K.Padhi, learned counsel for the applicant and Shri J.K.Nayak, learned Additional Standing Counsel appearing for the Respondents and have also perused the records. In this Original Application, the applicant has come up with the first prayer for a direction to the Respondents to give compassionate appointment to her nephew in any ED post and the second prayer is for a direction to the Respondents to consider the case of applicant and to appoint her in any EDMC post in nearby locality. Respondents have filed counter.

For the present purpose, it is not necessary to go into too many facts of this case. Admitted position is that the applicant's husband was working as EDDA, Lethingia Branch Post Office in Phulbani District and passed away on 24.6.1998 while in service leaving behind his widow, the present applicant, one son and one married daughter and old parents. Applicant has stated that the son who was major is deaf and dumb and he is now living with his son in the family of her husband's elder brother and has come up with the prayer for giving compassionate appointment to the son of her husband's elder brother i.e. her nephew. Respondents have pointed out that the instructions regarding compassionate appointment do not provide for compassionate appointment to the nephew of the applicant. They have mentioned in para 13 of their counter that action is being taken by the Departmental Authorities for

Counter filed. Copy served.

For further orders.

Registrar

MB

15/5/2001

For hearing.

Patra
2006

Bench

For hearing.

Patra
1387

Bench

J. Sam.

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Free copy of
the order
dt 16.7.01 given
to the both
Counsel.
Ratna
24/7
S-0

processing the appointment of applicant on
compassionate ground in relaxation of the normal
recruitment rule. From this it is seen that the
second prayer of applicant for getting compassionate
appointment for herself is being considered by
the Departmental Authorities. In view of this
averment made by Respondents, in their counter
I dispose of this O.A. with a direction to the
Respondents 1 and 2 to consider the case of
the applicant for compassionate appointment in
an ED job in relaxation of the normal recruitment
rules. A view on this should be taken by these
Respondents within a period of 90 days from
the date of receipt of a copy of this order and
result thereof be communicated to the applicant
within 15 days thereafter. As the applicant is
burdened with a deaf and dumb son and the averment
made by applicant has not been denied by the
Respondents in their counter, the Respondents are
directed to consider the case of applicant for
giving compassionate appointment in any nearby
post of EDMC.

With the above direction, the O.A. is
allowed. NO Costs.

Channan
SOMNATH SON
Vice-Chairman
16-7-2001

KNMM