

## 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, Lethengia 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. ~~his~~ 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

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Free copy of  
the order  
dt 16.7.01 given  
to the both  
Counsel.

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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.

S. N. S.  
(SOMNATH SINGH  
Vice-Chairman)

KNMM