

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

For Hearing.  
Respondent nor  
b/w.

L/23/02

Benz

Or. Dtr. 24.12.04

For Hearing.  
(Respondent nor  
b/w).

L/24/02

Benz

A fresh memo  
of appearance  
has been given  
by Mr. S.B. Jena, A.O.

(Respondent nor  
b/w).

FOR HEARING.

L/23

Benz

Or. Dtr. 7.3.05

(Copy of final order  
prepared for Comsesh  
for both side).

L/23

Dr  
23/02  
S. G.)

order dated 07.03.2003-

None appeared for the applicant.  
However, Mr. S.B. Jena, A.O. was present  
and heard. For the reasons recorded  
separately, this O.T. is disposed of.

Vice Chairman.

Order dated : 7.3.05

This O.A. has been filed by Shri Brundaban Sethy whose father late Muralidhar Sethy was working as Postman, Kendrapara Head Post Office under Cuttack North Division. The applicant has applied for appointment on compassionate ground after his father took retirement on ground of medical invalidation w.e.f. 3.6.99 and subsequently died on 1.8.2000. After his death, Respondent No.5 asked him to submit documents for appointment under compassionate scheme including Legal Heir Certificate and that his case was to be considered by the Circle Relaxation Committee (CRC in short). It took time to collect the requisite documents and he finally submitted his application on 31.10.2000 which was rejected by their letter dated 25.1.2002 by the CRC on the ground that the family had received terminal benefit of Rs. 51000/- and was getting family pension and that it was not the case of extreme indigence (Annexure-11). He again submitted another representation for reconsideration of the matter. But as by their letter dated 23.8.02 (Annexure-15) Respondent No.3 rejected his application and refused to consider his case.

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

for appointment against a GDS vacancy, the applicant has approached this Tribunal seeking relief.

None appeared for the applicant when the matter was called nor the applicant was present in person. There was also no formal request for adjournment of the matter. However, Mr. S.B.Jena Ed. Additional Standing Counsel was present and heard.

The facts of the case are not disputed by the Respondents. They have, however, in their counter submitted that the cases of appointment extreme hardship on compassionate ground are made only on a basis and that also is limited to 5% of the vacancies falling under direct recruitment quota arising in a year in any Group-C or Group-D post. They have submitted that the case of the applicant was considered alongwith other applications received in this regard by the CRC. There were 34 such cases and after objective assessment of assets/liabilities/terminal benefits received by the family of the deceased Govt. servant, the number of dependants to be taken care of and the number sisters/daughters to be married, the case of the applicant could not be accommodated because of the fact that there was only one post for the year 2001 available under compassionate quota and there were several candidates who were more deserving than the applicant in terms of the selection parameters considered by the CRC. In these circumstances, the case of the applicant could not be approved.

Having heard the Respondents and having

**NOTES OF THE REGISTRY****ORDERS OF THE TRIBUNAL**

perused the records, it appears that the case of the applicant was considered but due to paucity of enough number of vacancies, his case could not come within the zone of consideration. As no one is vested with right to demand compassionate appointment and as Respondents did not find it feasible to accept his case for the reasons stated above, this O.A. is disposed of being without merit. No costs.

*John*  
Vice-Chairman 7/8