



FORM No. - 4  
See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**CUTTACK BENCH**

**ORDER SHEET**

Application No. 250 of 200 4  
Applicant (s) Sudher K. Nayak Respondent (s) Union of India & Or  
Advocate for Applicant (s) Mr. D. P. Dhal Advocate for Respondent(s) Mr. D. P. Dhal

**NOTES OF THE REGISTRY**

**ORDERS OF THE TRIBUNAL**

9.P.O. for Re. 501- f.m.  
For Registration Pl.  
On memo

8/6/04

8/6/04  
C.O. (C)

Register

8/6/04

On memo.

For admission with  
interim order.

Mr. 8/6/04

Bench

REGISTER

8/6/04  
Register

1. ORDER DT. 09.06.2004.

Refusal of the prayer of the Applicant in providing him a compassionate appointment (following to the premature death of his father, an EDBPM) was the subject matter of earlier round of litigation/O.A. No. 72/99 before this Tribunal and the said case was disposed of on 30th September, 02 with a direction to the Respondents to reconsider the grievances of the Applicant.

While doing so, the Respondents were called upon to examine the certificates granted by the local MLA (pertaining to the <sup>partition</sup> participation of the family of the deceased EDBPM) and by over-ruling the hypertechnical objection raised by the Department (pertaining to the time gap between the premature death and actual date of super-annuation<sup>etc.</sup>). The grievances of the Applicant was subject matter of reconsideration by the Circle Relaxation Committee of the Postal Department and, the said CRC having again turned down the prayer of the Applicant (for providing him a compassionate appointment), the Applicant has again approached this Tribunal in the present Original Application under section 19 of the Administrative Tribunals Act, 1985. On perusal of the impugned order under Annexure-A/2 dated 5.1.04, it is seen that the order of rejection of the prayer of Applicant (for providing him an employment under compassionate ground) is bereft of any reason and, therefore, after hearing learned counsel for the Applicant and Mr. S. Behera, learned Addl. Standing Counsel for the Union of India (on whom a copy of this O.A. has already been served), the impugned rejection order under Annexure-A/2 dated 5.1.04 is hereby quashed (because the same is bereft of any reason) and, while doing so, the Respondents are hereby called upon to reconsider the grievances of the Applicant and pass necessary speaking/reasoned order within a period of

3  
sixty days from the date of receipt of a copy of this order.

With the above observations and directions, this O.A. is disposed of at the admission stage.

Send copies of this order, along with copies of the Original Application, to the Respondents and free copies of this order be given to learned counsel for both sides.

*g*  
*09/06/04*  
MEMBER (JUDICIAL)

Free copies of order dt 9.6.04  
issued to counsel for both sides  
& copies of order dt 9.6.04  
along with copies of OA issued  
to all parties by post.

*Sh*  
14.6.04.