

O.A.No. 876 of 2004

Order dated: 29.7.05

Heard the Ld. Counsel for the rival parties.

2. The applicant has come in second round of litigation with regard to his application for appointment on compassionate basis consequent upon the death of his father late Kshetra Mohan Mohanta,

Ex-Sub Post Master, Dukura, Sub-Post Office who died in 1.5.98.

3. In the earlier round of litigation in O.A. No. 646/03, the Tribunal had vide its order dated 8.10.03 directed the Respondents to reassess the economic condition of the applicant/his family to provide him employment on compassionate ground within a period of 120 days.

4. The grievance of the applicant is that the Respondents in a mechanical manner have complied with the direction of the Tribunal, that the review work done by them was nothing but a mere routine formality.

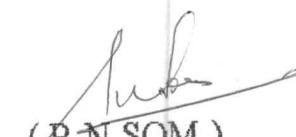
5. The Respondents by filing a detailed reply in counter have opposed the O.A. They have submitted that in pursuance to the direction of this Tribunal, the Circle Relaxation Committee (CRC, in short) met on 14.1.04 when the case of the applicant was

reconsidered. At that point of time, there were three vacancies available under compassionate quota in P/A cadre against which as many as 32 applicants were in the fray for consideration including the case of the applicant. In the said meeting, they had also reconsidered 3 more cases at the direction of this Bench. Having examined all the cases including that of the applicant taking into consideration the financial conditions of the family, its assets and liabilities i.e., size of the family, number of minor children and grown up unmarried daughters, availability of any earning member in the family and the vacancies available under compassionate quota and other relevant considerations, they did not find the case of the applicant more deserving than the others who could be provided employment against the three vacant posts. In support of their averments made in their counter, the minutes of the CRC meeting held on 14.1.04 has also been produced. I have also gone through the minutes of the meeting of 14.1.04.

6. Having regard to the discussion; made by the CRC in the minutes of the said meeting, no infirmity could be detected in their decision making process and in the circumstances, it cannot be said that it is a fit case for judicial intervention.



7. In the circumstances, the prayer of the applicant as made in the O.A. is not sustainable. Accordingly, the O.A. is disposed of. No costs.


(B.N.SOM)
VICE-CHAIRMAN

KUMAR

