



FORM No. - 4

See Rule (12)

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**

CUTTACK BENCH

**ORDER SHEET**

Application No. 1165 of 200 2  
Applicant(s) Prasanta Kr. Hota Respondent(s) U.O. 1  
Advocate for Applicant(s) M/s. Amitar Das Advocate for Respondent(s) S. K. Mandal  
S S Jena

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

270 for no 50/- f.w.  
For Regn pl.

10.1.03

Registrar

Limitation is involved.

on Memo -  
for Admn pl.

10.1.03

10.01.03

10.1.2003

Bench

REGISTER

13.1.2003  
Registrar

Or.No: 1 dated 13.1.2003

Heard the Advocate for the Applicant and Shri A.K.Bose, learned Senior Standing Counsel (on whom a copy of this O.A. has been served) appearing for the Respondents.

The prayer of the Applicant for a compassionate appointment having been turned down under Annexure- 1 dated 13.1.1999 (on the basis of the decision of the Circle Relaxation Committee) the Applicant's mother Y

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

preferred successive representations under Annexures-2 and 3 dated 20.11.2002. It is alleged that no action has yet been taken on the representations under Annexures-2 and 3 of the O.A. It has been disclosed in the said representations and also in the present O.A. that the sons who are gainfully employed elsewhere are living separately from the family and are not rendering any assistance to the family to remove the indigent condition.

~~The relevant executive instruction~~

~~R u l e~~ (4) dealing with Compassionate Appointments to Dependents of EDAs (Swamy's Compilation of Service Rules for Postal E.D. Staff (Eighth Edition-2000) (At Page 147) reads as under :

"(4) In certain cases where there is already an earning member in the family but Huddia/Sarpanch or an MP/MLA certified that the employed member is living separately and not rendering any financial assistance to the main family, the requests for compassionate appointments may be entertained and considered on merits. ...."

In the aforesaid premises, liberty is hereby given to the Applicant to place the further materials before the Respondents to substantiate that the earning members of the family are not really rendering any assistance to the main family and that the family is indigent therefor. In the event such materials are placed before the Respondents, they are directed, to give a fresh look to the entire matter and <sup>re-</sup> consider the case of the Applicant for providing him an employment on compassionate ground.

3

Respondents should act promptly, i.e., by the end of March, 2003 in order to comply the above direction.

With the aforesaid observations and directions, this O.A. is disposed of at the stage of admission itself. No costs.

Send copies of this order, along with copies of this O.A. to Respondents and free copies of this order be also made available to the learned counsels of both sides.

MEMBER (JUDICIAL)

13.01.2003

Copy of order  
dt. 13/1/03 and  
a copy issued  
to all the respts.  
by posts. The  
same copy issued  
to the counsel  
for both side.

DB  
5.0.12/03

11/1/03