

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 392 OF 2010
CUTTACK, THIS THE 12th DAY OF August, 2010

Smt. Kamala Dhal.....Applicant

Vrs.

Union of India & OrsRespondents

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ?


(C.R. MOHAPATRA)
MEMBER (ADMN.)


(G. SHANTHAPPA)
MEMBER (JUDL.)

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**ORIGINAL APPLICATION NO. 392 OF 2010
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CORAM :

**HON'BLE MR. G. SHANTHAPPA, MEMBER(JUDL.)
&
HON'BLE MR. C.R.MOHAPATRA, MEMBER(ADMN.)**

.....

Smt. Kamala Dhal, aged about 56 years, wife of Late Bipinbihari Dhal, At-Kopanda (Binapani Shai), P.O.- Jajpur Road, Dist- Jajpur.

.....Applicant

Advocate(s) for the Applicants- M/s. S.C.Pradhan, R.P.Pradhan.


VERSUS

1. Union of India, represented through the Chief Post Master General, Odisha Circle, Bhubaneswar.
2. Superintendent of Post Offices, Cuttack North Division, Cuttack-753001.
3. Inspector of Posts, Jajpur Road Division, At/PO. Jajpur Road, Dist- Jajpur.

..... Respondents

Advocate for the Respondents – Mr. S.Mishra.

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ORDER

HON'BLE SHRI G. SHANTHAPPA, MEMBER (J) :

We have heard Mr. S.C.Pradhan, Ld. Counsel for the applicant.

2. Mr. S.Mishra, Ld. Addl. Standing Counsel is directed to take notice for the Respondents. Accordingly, he accepts.

3. This Original Application is filed under Section 19 of the Administrative Tribunals Act, 1985 challenging the order of rejection for appointment on compassionate ground vide Annexure-A/6. The applicant is also asking for appointment of her son to be considered under the scheme for appointment on compassionate ground.

4. It is the case of the applicant that her husband died while in service. The Department had asked the applicant to submit the necessary documents to consider her case or her son for appointment on compassionate ground. The Respondents had asked some of the documents including the Solvency Certificate. The applicant submitted the same. Considering the Solvency Certificate No. 13116/2006, dated 12.12.2006, in which the income of the family of the deceased has been shown Rs. 56,000/- (Income from Agricultural Land-NIL, from Building^{R/s} 33,000/- and from other immovable property-_{4/2}



23,000) and the certificate issued by the Bank of India dated 06.12.2006, the Respondents rejected the request of the applicant since there is no indigent circumstances in the family.


5. Mr. S.Mishra, Ld. Additional Standing Counsel for the Respondents submitted that the case of the applicant has been considered once.

6. Since the case of the applicant has been considered once, as per the O.M. dated 05.05.2003 issued by the DOP&T, the case of the applicant can be considered for another two occasions.

7. We have considered the submissions made by the either side. We direct the Respondents to consider the grievances of the applicant for appointment of her son on compassionate ground for another two more occasions, i.e. recruitment years, under the O.M. dated 05.05.2003

8. With the above observation, the O.A. is disposed of. No costs.


(C.R. MOHAPATRA)
MEMBER (ADMN.)


(G. SHANTHAPPA)
MEMBER (JUDL.)