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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00501 of 2015
Cuttack, this the 19th day of August, 2015

CORAM
HON'BLE MR. A.K. PATNAIK, MEMBER (J)
HON'BLE MR. R.C. MISRA, MEMBER (A)

1. Smt. Sulochana Behera, aged about 43 years, W/o-Late Kanhu Charan Behera, At/Po- Lochapada, P.S: Berehampur, Sadar, Dist:Ganjam.
2. Amit Kumar Behera, aged about 23 years, D/o-Late Kanhu Charan Behera, At/Po- Lochapada, P.S: Berehampur, Sadar, Dist:Ganjam.

..... Applicants
(By Advocates: Mr. D.K. Mohanty)

VERSUS

Union of India Represented through

1. Director General of Posts,
Ministry of Communication,
Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. Chief Post Master General,
Odisha Circle, Bhubaneswar,
Dist-Khurda-751001
3. Post Master General,
Berhampur Region,
Berhampur.
4. Superintendent of Railway Mail Services,
RMS, B.G. Division,
Berhampur-1

..... Respondents
(Advocate: Mr. A.C. Deo)

ORDER(Oral)

A.K. PATNAIK, MEMBER (J):

Heard Mr. D.K. Mohanty, Ld. Counsel appearing for the Applicant and Mr. A.C. Deo, Ld. Ld. ACGSC appearing for the Respondents on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. M.A. No. 631/15 filed by the applicants for joint prosecution is allowed. Accordingly, M.A. No. 631/15 is disposed of.



3. The facts of the case ~~are~~ that the husband of applicant No.1 while working as MG (Sorting) died prematurely on 16.09.2011 leaving behind his widow, two sons and one daughter (unmarried). The applicants belong to SC community and were fully dependent on the deceased Govt. employee's income as they have no landed property and other source of income except ~~solace~~ ^{sole &} means of family pension for their sustenance. Now, the family members are living in a financial distress condition. As per Compassionate Appointment Scheme, applicant No.1 applied for compassionate appointment for her elder son in the year 2012 enclosing all the required documents. As she did not get any reply with regard to her request for compassionate appointment for applicant No.2, she made representation dated 05.06.2015 (Annexure-A/5) to Respondent No.4 for the same. Mr. Mohanty further submitted that as per the DOP&T O.M. No.14014/19/2002-Estt(D) dated 05.05.2003 consideration for Compassionate Appointment must be thrice. But till date no consideration has been made in respect of the applicants' grievance. Hence the present O.A. with the prayer to direct the Respondents to consider the case of applicant No.2 for an appointment on compassionate ground in accordance with the DOP & T instruction, supra.

3. In view of the aforesaid facts, as the representation dated 05.06.2015 (Annexure-A/5) is still pending with the Respondent No.4, at this stage, we dispose of this O.A. by directing Respondent No.4 to consider and dispose of the said representation dated 05.06.2015 (Annexure-A/5) and communicate the result thereof to the applicant by way of a reasoned order within a period of two months from the date of receipt of copy of this order. However,



we have not expressed any opinion on the merit of the matter and the points raised by the applicant in his representation are kept open for the authorities to consider the same as per rules, regulations and law in force. However, If, in the meantime, the said representation has already been disposed of, then the result thereof be communicated to the applicant within a period of four weeks' from the date of receipt of a copy of this order. No costs.

4. On the prayer made by Mr. D.K. Mohanty, Ld. Counsel for the applicant, copy of this order, along with paper books, be sent to Respondent Nos.2 & 3 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 24.08.2015.



(R.C.MISRA)
MEMBER(A)



(A.K.PATNAIK)
MEMBER(J)

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