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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No.450 of 2016

Cuttack this the 14th day of July, 2016

CORAM

HON'BLE SHRI R.C.MISRA, MEMBER(A)
HON'BLE SHRI S.K.PATTNAIK, MEMBER(J)

Biswaranjan Barik, aged about 37 years, S/o. late Benudhar Barik, At-Padhanpatna, PO-Banamalipur, PS-Balipatna, Dist-Khurda

...Applicant

By the Advocate(s)-M/s.S.B.Jena & S.Behera

-VERSUS-

Union of India represented through:

1. The Secretary cum Director General of Posts, Dak Bhawan, Sansad Marg, New Delhi-110 116
2. The Chief Post Master General, Odisha Circle, Bhubaneswar, District-Khurda-751 001
3. The Superintendent of Post Offices, Bhubaneswar Division, Bhubaneswar, District-Khurda

...Respondents

By the Advocate(s) Mr.D.K.Mallick

ORDER(Oral)

R.C.MISRA, MEMBER(A):

Heard Mr.S.B.Jena, learned counsel for the applicant and Mr.D.K.Mallick, learned ACGSC on the question of admission and perused the records.

2. Applicant's father while working as Sub-Postmaster in Kakatapur S.O. died on 15.03.2012. Applicant being the eldest son in the family, submitted an




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application for compassionate appointment in his favour. In the meantime, on being called upon, applicant also submitted some additional documents to the respondent-authorities in support of his claim. While the matter stood thus, applicant was communicated vide letter dated 05.02.2013 that his request for compassionate appointment has been rejected on the ground that the CRC did not approve his case as per points obtained by him and therefore, his case did not come within the zone of vacancies earmarked for compassionate appointment. Aggrieved with the above, applicant made an appeal dated 16.01.2014(A/7) to the Chief Post Master General, Odisha Circle(res.no.2) to reconsider his case for appointment on compassionate ground against any Class-III/IV post. Grievance of the applicant is that he has not been intimated so far about the fate of his appeal and hence this O.A.

3. On perusal of the order of rejection dated 16.1.2014(A/6), we find that although mention has been made therein that as per points obtained by the applicant based on norms of the Department, applicant did not come within the zone of the vacancies earmarked for compassionate appointment of PA/SA & Postman/Mail Guard cadres, but, details of such consideration and points scored by the applicant vis-à-vis the other candidates, if any, within the zone of consideration, are conspicuous by absence. In view of this, it cannot be said that an objective assessment having regard to the provisions of the scheme



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and/or rules has been made by the CRC while considering the case of the applicant for compassionate appointment. In view of this, we quash the impugned order dated 05.02.2013(A/6) and direct res.no.2 to consider the representation/appeal dated 16.01.2014 if it is still pending, in accordance with rules and instructions and communicate the decision thereon to the applicant in a reasoned and speaking order within a period of sixty days from the date of receipt of this order.

4. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

5. On the prayer made by the learned counsel, copy of this order along with paper book of O.A. be sent to res.no.2 by Speed Post at the cost of the applicant for which Mr.S.B.Jena undertakes to file the postal requisites by 18.7.2016.

6. Free copy of this order be made over to learned counsel for both the sides.

S.K. Pattalik
14/7/16
(S.K.PATtnik)
MEMBER(J)

R.C. Misra
(R.C.MISRA)
MEMBER(A)

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