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**O.A. No. 370 of 2012**

Firoj Sah.....Applicant  
Vs  
Union of India & Ors.....Respondents

**Order dated: 11.05.2012**

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)  
&  
Hon'ble Shri A. K. Patnaik, Member (Judl.)

Heard Mr. P.K.Padhi, Ld. Counsel for the applicant and Mr. P.R.J.Dash, Ld. Addl. Standing Counsel appearing for the Respondents, on whom a copy of this O.A. has already been served.

2. The case of the applicant is that after the death of his father on 22.02.2008 while he was working as Group-D in Budheswari Colony Sub Post Office, his case was considered for compassionate appointment in 2009 and rejected on the ground that there is no liability and the condition is not as indigent in comparison to other cases. He has filed this O.A. with the following prayers:

“.....to direct the Respondents to consider the case of the applicant for providing compassionate appointment either in Group 'D'/MTS or in any GDS (Gramin Dak Sevak) post.

AND any other order.....”


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3. Ld. Counsel for the applicant, Mr. Padhi, submitted that the order of rejection, i.e. Annexure-A/4 is not a reasoned one and also as per DOP&T circular dated 05.05.2003, the case for compassionate appointment can be considered for three times whereas the applicant's case has been considered only once. This is not disputed by the Ld. Additional Standing Counsel.

4. Having heard Ld. Counsel for the parties, without entering into the merit of the case and as agreed to by the Ld. Counsel for the parties, we direct Respondents to consider the case of the applicant based on the facts of the case and instruction issued by the Government, in the next CRC and communicate the result thereof to the applicant.

5. With the above observation and direction, the O.A. stands disposed of at the stage of admission itself.

6. Send copy of this order to the Respondents and free copies of this order be handed over to the Ld. Counsel appearing for the parties.

  
MEMBER (Judl.)

  
MEMBER (Admn.)