

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO. 995 OF 2012  
CUTTACK, THIS THE 3<sup>rd</sup> DAY OF JANUARY, 2013**

**CORAM  
HON'BLE MR. A.K. PATNAIK, MEMBER (J)**

1. Urmila Barik,  
Aged about 62 years,  
Widow of late Basant Kumar Barik,  
Resident of Vill- Sankhri Sahi,  
Post- Parbatipur, Dist: Jagatsinghpur.
2. Pratap Kumar Barik,  
Aged about 35 years,  
Son of late Basant Kumar Barik,  
Resident of Vill- Sankhri Sahi,  
Post- Parbatipur, Dist: Jagatsinghpur,

.....Applicants  
Advocate(s) Mr. T.Rath

**VERSUS**

Union of India represented through

1. The Secretary cum DG Posts,  
Ministry of Communications and Information Technology,  
Govt. of India,  
Dak Bhawan,  
New Delhi.
2. The CP MG,  
Orissa Circle Bhubaneswar,  
At-PMG square,  
Post.-Bhubaneswar GPO,  
Bhubaneswar, Dist. Khurda
3. The Superintendent of Post Offices,  
Cuttack South Division,  
At-Cantonment Road,, Post-Cuttack GPO,  
Dist: Cuttack.

..... Respondents  
Advocate(s) Mr. S. Barik ASC

ORDER(ORAL)

MR.A.K.PATNAIK, MEMBER(J)

1. Misc.Application No.1113 of 2012 seeking permission to jointly prosecute this Original Application is allowed. Accordingly, M.A.No.1113/2012 is disposed of.

2. Heard Shri T.Rath, learned counsel for the applicants and Shri S.Barik, learned ASC on whom a copy of this O.A. has been served, appearing on behalf of the Respondents and perused the materials on record.

3. Calling in question the legality and validity of the order dated 29.12.2011(Annexure-A/17) applicants have moved this Tribunal seeking appointment on compassionate ground in favour of applicant No.2.

4. In this connection, it would be profitable to quote hereunder the contents of the communication made to the applicant vide Annexure-A/17.

“Pursuant to CO letter No.RE/CRC/2011(GDS) dated 15.12.2011 it is to intimate you that Circle Relaxation Committee (CRC) considered your compassionate case and rejected it as your case does not come under “hard and deserving cases”.

5. Perusal of the manner of communication makes it conspicuous that the same suffers due application of mind inasmuch as the rejection order does not contain a clear picture with regard to the candidates within the zone of consideration for compassionate appointment and the degree of indigency against each. It is to be noted that the order without any reason is void. In the circumstances, the impugned order under Annexure-A/17 is liable to be quashed and accordingly the same is quashed. In the circumstances, it is directed that Respondents shall give out the clear picture of the candidates within the zone of consideration for compassionate

W.A.

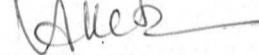
appointment and that the degree of indigency of each of the candidates so as to make the consideration above board.

6. The above exercise shall be completed within a period of two months from the date of receipt of this order.

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

8. Send copies of this order along with copy of the O.A. to Respondent Nos.2 and 3 for which Shri T.Rath undertakes to deposit the requisites by 8.1.2013.

9. Free copies of the order be made over to the learned counsel for the parties.

  
(A.K.PATNAIK)  
MEMBER(J)

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