

3

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK**

OA No.875 of 2013

Cuttack, this the 19th day of December, 2013

CORAM:

THE HON'BLE MR.A.K.PATNAIK, MEMBER (JUDICIAL)

.....

1. Golekh Bihari Panigrahi, aged about 67 years, Ex-GDSMD-Cum-MC, Rahadinga Branch in account with Nalibar SO under Jagatsinghpur HO under Cuttack South Division, permanent resident of At/Po.Jaipur, Via-Tarapur, Dist. Jagatsinghpur.
2. Sachidananda Panigrahi, aged about 36 years, Son of Golekh Bihari Panigrahi, At/Po.Jaipur, Via-Tarapur, Dist. Jagatsinghpur.

.....Applicant

(Legal Practitioner – Mr.T.Rath)

Versus

Union of India represented through-

1. The Secretary Cum DG Posts, Ministry of Communications and Information Technology, Government of India, Dak Bhawan, New Delhi.
2. The CPMG, Odisha Circle, Bhubaneswar, At-PMG Square, Post-Bhubaneswar GPO, Bhubaneswar.
3. The Superintendent of Post Offices, Cuttack South Division, At-Cantonment Road, Post-Cuttack GPO, Dist. Cuttack, PIN-753 001.

.....Respondents

(Legal practitioner – Mr.G.Singh)

O R D E R

(Oral)

A.K.PATNAIK, MEMBER (JUDICIAL):

MA No.864 of 2013

It is the case of the applicants that since the prayer in this OA is to provide appointment in favour of the Applicant No.2 who is the son of the applicant No.1 they have filed this OA and by filing the aforesaid MA they



4

have prayed for permission to prosecute this OA jointly. Having heard Mr.T.Rath, Learned Counsel appearing for the Applicants and Mr. Giridhari Singh, Learned Additional CGSC appearing for the Respondents, prayer made in the MA is allowed. MA is accordingly disposed of.

OA N. 875 of 2013.

2. In nut shell, the prayer of the Applicants in this OA is to direct the Respondent No.2 to provide employment assistance, on compassionate ground in favour of the Applicant No.2 as the applicant No.1 while working as GDSMD Cum MC, Rahadinga Branch Post Office in account with Nalibar Sub Post Office under Jagatsinghpur/Cuttack South Division being suffered from Osteoarthritis and Hypertension and COPD, retired from service voluntarily, on medical ground with effect from 02.06.2009. It is the specific case of the applicants that the families do not have any other means of livelihood, especially being landless, and, therefore, after the retirement of the Applicant the family members are facing insurmountable difficulties to maintain heir livelihood. Further case of the applicants is that as per the rules, following the voluntary retirement on medical ground, one of the family members of the GDS employee is entitled to appointment on compassionate ground and, despite repeated representations followed by reminder no heed has been paid to the grievance of the applicants and, therefore, they have approached this Tribunal in the instant OA with the aforesaid prayer.



5

3. Heard Mr.T.Rath, Learned Counsel appearing for the Applicants and Mr. Giridhari Singh, Learned Additional CGSC appearing for the Respondents and perused the records. Mr.Singh takes notice for all the Respondents and registry is directed to hand over the notices meant for Respondents to Mr.Singh. On being confronted with Mr.Singh as to why no action has been taken on the prayer of the applicants, if under the rules, in such an event one member of the family would be provided with appointment on compassionate ground, Mr. Singh fairly submitted that he has no immediate instruction as to whether any such representations dated 27.02.2012 and 08.05.2012 have been preferred and the status thereof.


4. In view of the above, I see no justification to admit this OA; especially when it is the specific case of the applicants that no decision has been communicated on his representation followed by reminder. Therefore, without expressing any opinion on the merit of the matter, this OA is disposed of at this admission stage, with direction to the Respondent No.2 to consider/dispose of the said representations dated 27.02.2012 and 08.05.2012 (if it is filed and is still pending) and communicate the result thereof to the Applicant No.1, in a well reasoned order, within a period of thirty days from the date of receipt of copy of this order. There shall be no order as to costs.

5. As prayed for by Mr.Rath, Learned Counsel for the Applicant copy of this order be sent to Respondent No.2 by speed post at his cost for



6

compliance for which he undertakes to furnish the postal requisite within two days hence.


(A.K. Patnaik)
Member (Judicial)

