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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH**

**Original Application No. 174/2004**

**Date of Decision: 23.08.2005**

**CORAM**

**HON'BLE MR. J.K. KAUSHIK, JUDICIAL MEMBER.  
HON'BLE MR. G.R. PATWARDHAN, ADM. MEMBER.**

Smt. Sugni W/o Late Dallu Ram, R/o Village Mitharia Via Bajju  
Distt. Bikaner.

..... Applicant.

(Mr. S.R. Bishnoi, Counsel for the applicants)

**VERSUS**

1. Union of India through Secretary Ministry of Communication 'D' Bhavan, New Delhi.
2. Post Master General, Head Office, Jodhpur.
3. The Superintendent, General Post Office, Bikaner (Raj.)

..... Respondents.

(Mr. Vinit Mathur, Counsel for the respondents.)

**O R D E R**

By **Mr. J.K. Kaushik, Judicial Member**

Smt. Sugni has filed this O.A for seeking a direction to the respondents to consider her case for appointment on compassionate grounds.

2. With the consent of the learned counsel for both the parties, the case was heard for final disposal at the stage of admission. We have carefully perused the records of this case.
3. The factual matrix of this case indicates that the applicant is the widow of late Shri Dallu Ram. Late Shri Dallu Ram was employed on the post of G.D.S.B.P.M in the office of- Post Office Village Mitharia Via Bajju Distt. Bikaner and died on 11.02..2003 in harness. The applicant was informed by the respondent Department that if any dependent of the deceased Government Servant wants appointment on compassionate grounds then

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necessary documents may be made available to the Post Office South Sub Division, Bikaner. The requisite documents were made available to the respondents and all other formalities were fulfilled but it has not been found expedient for the respondents to grant the appointment on compassionate grounds.

4. The respondents have contested the matter and have filed the reply to the O.A wherein it has been averred that the case of the applicant has been duly considered but keeping in view the comparative hardships and the vacancies constraint, it has not been possible to grant her appointment on compassionate grounds. The same is followed by the rejoinder to the reply whereby certain clarifications have been given in regard to the property and it has been said that the in the name of the applicant, she has only 5 Bighas of land and not 25 Bighas of land.



5. Both the learned counsel for the parties were heard in peacemeal and the respondents were directed to make available the relevant records. Today, the relevant records have been made available including the comparative chart whereby the names of 7 persons have been recommended for appointment on compassionate grounds against the available vacancies. Keeping in view the transparency in the matter, the complete position was shown to the learned counsel for the applicant who has pointed out that the landed property in respect of applicant has not been correctly shown and other persons whose names have been recommended for appointment on compassionate grounds had more landed property than that of applicant. We find from the comparative chart of Circle Relaxation Committee

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that the consolidated landed property of the family of the deceased Government Servant is definitely 25 Bigas which is much more than the other incumbents and mere perusal of the comparative chart does not show that there has been any discrimination or arbitrariness done by the respondents.

6. We are of the considered opinion that the case of the applicant has been fairly considered by the respondents and it is also otherwise well-settled that appointment on compassionate ground is not a matter of right and it is rather exception to the general rule for the recruitment which is given for finding out the bread earner to the family and to fill up the vacuum which is caused due to demise of the Govt. Servant. Having considered the case of the applicant, as per the norms we do not think that there is any scope for interference by this Bench of the Tribunal.

7. In the premises, we are left with no option except to dismiss this case and we do so, accordingly; however, without any order as to costs.

  
**(G.R.Patwardhan)**  
**Administrative Member**

  
**(J.K. Kaushik)**  
**Judicial Member**

LG/-

~~Recd  
17/11/14~~

Part II and III destroyed  
in my presence on 17/11/14  
under the supervision of  
section officer (J) as per  
order dated 18/12/13

~~Section officer (Records)~~

~~17/11/14~~