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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH: JODHPUR**

ORIGINAL APPLICATION NO. 206/2009

Date of order: 19.07.2011

CORAM:

HON'BLE DR. K.B.SURESH, JUDICIAL MEMBER

HON'BLE MR. SUDHIR KUMAR, ADMINISTRATIVE MEMBER

Parmeshwar Lal S/o Shri Magh Raj aged 38 years, R/o Village Kharia Mithapur, District Jodhpur, Shri Magh Raj Ex. Group 'D' employee, Shastri Nagar Post Office, Jodhpur.

...Applicant.

For the applicant : Mr. Vijay Mehta, Advocate.

VERSUS

- 1- Union of India through the Secretary to the Government, Ministry of Communication (Deptt. Of Posts), Sanchar Bhawan, New Delhi.
- 2- Chief Post Master General, Rajasthan Circle, Jaipur.
- 3- Senior Superintendent of Post Offices, Jodhpur.

....Respondents.

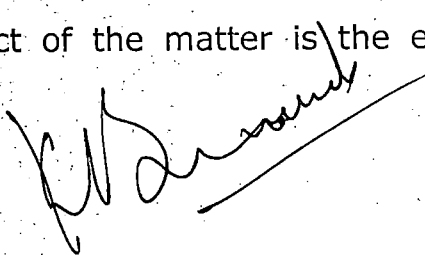
For the respondents Mr. Mahendra Godara for Mr. Vineet Mathur for Respondents.

ORDER (ORAL)

(Per Dr. K.B. Suresh, Judicial Member)

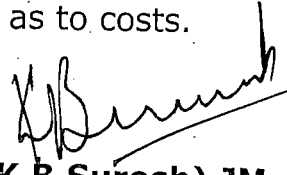
Union of India through the Secretary to the Government, Ministry of Communication (Deptt. Of Posts), Sanchar Bhawan, New Delhi.
Heard both counsels.

2. It would appear that vide additional affidavit, the learned counsel for the applicant has brought on record that case of one Shri Ram Niwas has been recommended wrongly as a Postal Assistant. The applicant has also applied for the post of Postal Assistant on compassionate ground. Had such a person being in the party-array, we could have ascertained that who among the eligible persons would be more deserving to have been considered. But, since he is not in the party array, we are not inclined to consider his records. Coming to the next aspect of the matter is the eligibility of the



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applicant to be considered for being a recipient of compassionate appointment. The learned counsel for respondents would submit he that the applicant ^{was} ~~is~~ already an employee of the respondents even before the death of his father. That being so, the level of compassion to be meted out to him as dependent on the requirement of the livelihood is absent. Compassionate appointment is not for enforcement of opportunities but, only to prevent starvation and destitution. Therefore, prima facie atleast, the respondents have found his level of indigency to be sufficiently lacking in order to not to give him benefit of mercy. There is no merit in the OA. The OA is dismissed with no order as to costs.


(Sudhir Kumar)AM
(Dr.K.B.Suresh) JM

jrm