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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 326/2010
With
MISC. APPLICATION NO.178/2010**

Date of Decision: 01.12.2010

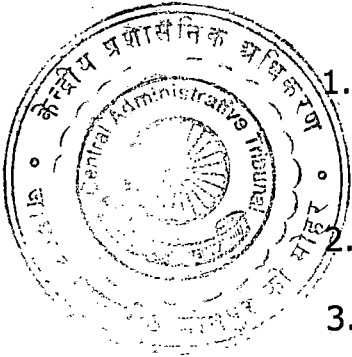
**HON'BLE Dr. K.B. SURESH, JUDICIAL MEMBER
HON'BLE Mr. SUDHIR KUMAR, ADMINISTRATIVE MEMBER**

Jwala Shanker Vyas S/o Shri Nathu Lal Vyas, aged 26 years, R/o village Tonkarwar, District Bhilwara, Shri Nathu Lal Vyas Ex.GDS BPM MC. Post Office, Village Tonkarwar, District Bhilwara.

.... Applicant

For Applicant : Mr. Vijay Mehta, Advocate.

VERSUS



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

.... Respondents.

ORDER (ORAL)

After having heard and perusing the records, we are convinced that sufficient reasons have been given for condoning the delay. Therefore, the delay is condoned. Accordingly, M.A. is allowed.

2. The issue relates to compassionate appointment. Following the death of applicant's father on 08.12.2008 while in service in the post of GDS BPM, the applicant has filed an application for compassionate appointment. Apparently, the applicant was provisionally appointed to the post, which was being held by his father where apparently he continued upto 28.10.2010. It seems

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that the respondents rejected the application of the applicant on the ground that the family of the applicant was having an annual income of Rs.19500/-. Since we had doubt that there is a typographical error in the mentioning of Rs.19500/- it was verified and we further found that paragraph-4 of the Annexure-A/1 is written in figures as well and therefore, cannot be any doubt. The Rs.19500/- would work out to Rs.1625/- to a family in a month, which is hardly sufficient for even starvation level of a deceased's family and quite obviously the parameters of the consideration of the respondents had gone wrong. We find that the Annexure-A/1 order dated 23.03.2009 is unreasonable, arbitrary and opposed to salutary provisions of the constitution and statutory formation and it is therefore, quashed. The respondents are directed to re-consider the case of the applicant for appointment on compassionate ground with reasonable parameters and in the light of the observations made above within a period of three months from the date of receipt of a copy of this order. The O.A. is allowed at the admission stage itself. There shall be no order as to costs.




[Sudhir Kumar]
Administrative Member


[Dr. K.B. Suresh]
Judicial Member

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दिनांक के आदेशानुसार
मेरी उपस्थिति में दिनांक 12/11/18
को धन-1 अर्थात् प्रत्यक्ष किया गया।

अनुमान उपस्थिति
केन्द्रीय सामाजिक अधिकरण
कोलमुर न्यायपीठ, जोधपुर