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**CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR**

Original Application No. 290/00141/15 with MA 290/00080/15

Jodhpur, this the 5<sup>th</sup> day of February, 2016

**CORAM**

**Hon'ble Dr. K.B.Suresh, Judicial Member**

Lalit S/o Late Shri Shivnarain Sharma, Aged about 22 years, B/c  
Brahman, R/o Bhairu Jain Mandir Ke Pass, Sardarpura, Jodhpur.  
(Late Shri Shivnarain was posted as Group-D, at Jodhpur HO)

.....Applicant

By Advocate: Mr S.P. Singh.

Versus

1. Union of India through the Secretary, Government of India, Ministry of Communication, Department of Post, Dak Tar Bhawan, New Delhi.
2. The Chief Post Master General, Rajasthan Circle, Jaipur-342007.
3. Senior Superintendent of Post Offices, Jodhpur Division, Jodhpur.

.....Respondents

By Advocate : Mr K.S. Yadav.

**ORDER (Oral)**

Heard. Delay condoned. Accordingly, MA is allowed.

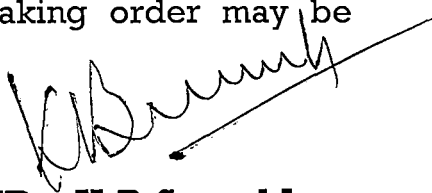
2. Heard. The compassionate appointment is a back door entry and measurement of indigence, the emphasis on the word indigence, the applicant would say that there are total 03 dependents excluding the

... he has no house but

apparently the grant of family pension as well as DCRG has been taken into account to measure his ability or non-ability. He would rely on Hon'ble Apex Court's judgment but then circumstance of that case and this case seems to be different. Here a numerical approach has been laid down on the basis of judicial orders for every aspect of indigence. That being so, there may not be any challenge to be laid against methodology adopted and in any case the applicant's contentions is that he must be allowed some more points and he is not challenging the methodology.

3. Therefore, with the help of the counsels we have also completed computation exercise and found that applicant would have received approximately the marks which have been already given by the respondents. He was unable to articulate further on any extra merit which would benefit him like a handicapped dependent, unmarried daughters or any such which would have entitled him for more points. At this point of time learned counsel for applicant submits that the case of the applicant may be considered for two more opportunities objectively.

4. Therefore, by holding that this challenge will not lie, the respondents are directed to consider him twice more when the vacancies are martialled and appropriate speaking order may be passed. OA disposed of. No costs.

  
[Dr. K.B.Suresh]  
Judicial Member