

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 513 of 2010

WEDNESDAY , this the **16th** day of June, 2010

CORAM:

Hon'ble Mr. Justice K. Thankappan, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

M. Amul Kumar, Aged 34 years, S/o. Late Shri Mohan Das,
 Residing at New Colony, Munnar P.O.,
 Idukki Dist.

Applicant

(By Advocate – Mr. P.C. Sebastian)

V e r s u s

1. The Union of India, Represented by Secretary to Govt. of India,
 Ministry of Communications, Department of Posts, New Delhi.
2. The Chief Postmaster General, Kerala Circle, Thiruvananthapuram.
3. The Supdt. of Post Offices, Idukki Division,
 Thodupuzha-685 584.

Respondents

(By Advocate – Ms. Deepthi Mary Varghese, ACGSC)

This application having been heard on 14.6.2010, the Tribunal on
16-06-10 delivered the following:

ORDER

By Hon'ble Mr. K. George Joseph, Administrative Member -

The applicant in this OA seeks a direction to the respondents to consider his claim for compassionate appointment with due regard to the factual situation of his family.

2. The applicant's father had expired while in service as Postal Assistant under the Superintendent of Post Offices, Idukki Division, on 20.11.2004.




An application was made for appointment of the son of the deceased on compassionate grounds on 29.5.2005. His request was turned down on the ground that there were more deserving cases than the applicant for appointment on compassionate grounds. On persisting with his request the respondents examined his case for compassionate appointment and informed him that it was found that the Circle Relaxation Committee had considered his case in the year 2005 but did not recommend it as the applicant's family was not found in indigent condition as compared to other applicants' to warrant consideration for appointment on compassionate grounds, vide letter dated 29.1.2010. This OA has been filed challenging the said order.

3. The respondents have taken a decision on merits and found that the applicant was not eligible for appointment on compassionate grounds in comparison with more deserving applicants in view of the limit of 5% vacancies meant for direct recruitment. Moreover appointment on compassionate grounds is not a matter of right. It depends upon the comparative indigent conditions of the family of the deceased Government servant and the availability of vacancies. The decision on the applicant's request was taken as early as on 2005. At this point of time there is no point in directing the respondents to consider the applicant's case once again.

4. Hence, for want of merit the OA is dismissed at the admission stage itself.


(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER
"SA"


(JUSTICE K. THANKAPPAN)
JUDICIAL MEMBER