

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.545/97

Tuesday, this the 22nd day of April, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

ER Haridas,
Extra Departmental Delivery Agent,
Mundathicode West.P.O. - Applicant

By Advocate Mr MR Rajendran Nair

Vs

1. Senior Superintendent of Post Offices,
Trichur Division, Trichur.
2. The Chief Post Master General,
Kerala Circle,
Trivandrum. - Respondents

By Advocate Mr TPM Ibrahim Khan, SCGSC

The application having been heard on 22.4.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

The applicant's father while working as Extra
Departmental Delivery Agent, Mundathicode expired on 6.7.96.
The applicant was engaged in that post on a provisional basis.
The applicant made a representation for appointment as E.D.D.A.
Mundathicode on a regular basis on compassionate ground. This
request was turned down by the impugned order dated 8.4.97(A-1)
on the ground that as the applicant's mother is employed in
the Government Press, Koratty drawing a salary of Rs.4081, the

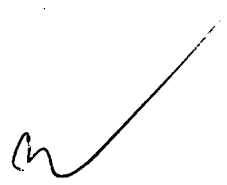
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family cannot be considered to be indigent and in distress, warranting appointment of the applicant on compassionate ground. Aggrieved by this the applicant has filed this application praying for quashing the impugned order and for a declaration that he is entitled to be appointed on the post on compassionate ground. The applicant has alternatively prayed that the respondents may be directed to consider the applicant for selection and appointment as E.D.D.A. along with other candidates.

2. Learned Senior Central Government Standing Counsel took notice on behalf of the respondents. I have heard the learned counsel on either side. As far as the challenge against A-1 is concerned, I am not convinced that there is even a prima facie case. The applicant's mother admittedly, is employed in Government Press, Koratty. The scheme for compassionate appointment was envisaged only for the purpose of lending assistance to the members of the family of a Government servants dying in harness unexpectedly pushing the family into extreme indigence and hardship. In the case of the applicant, his mother is fairly well employed. The decision of the respondents not to extend to the applicant the employment assistance on compassionate ground therefore cannot be faulted. Hence the prayer No.(i) cannot be even considered. Regarding the alternative prayer, the learned

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counsel on either side agree that the application may be disposed of with appropriate direction to the respondents to consider the candidature of the applicant if he makes an application offering his candidature.

3. In the result while declining the prayers for quashing the impugned order at A-1 and for a declaration that the applicant is entitled to be appointed as E.D.D.A. on compassionate ground, I direct the respondents that if the applicant makes an application offering himself as a candidate for selection and appointment to the post of E.D.D.A., Mundathicode, his candidature shall be considered by them along with others who have been sponsored by the Employment Exchange or responded to the notification and that the selection shall be made only after considering his case also.

4. Application is disposed of as above. No costs.

Dated, the 22nd April, 1997.



AV HARIDASAN
VICE CHAIRMAN

LIST OF ANNEXURE

Annexure A-1: True copy of the Letter
No.82/17/Rectt/5/96 dated
8.4.1997 issued by
the 1st respondent.

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