

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.583/04

Thursday this the 9th day of September 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

B.Baiju,
S/o.late Balan,
Thadatharikathu House,
Paniyode P.O.,
Via Peringamala.

Applicant

(By Advocate Mr. S.Rajasekharan Nair)

Versus

1. Union of India represented by
the Secretary, Ministry of Communications,
New Delhi.
2. The Director General of Posts,
Department of Posts, New Delhi.
3. The Senior Superintendent of Post Offices,
Thiruvananthapuram North Division,
Thiruvananthapuram.

Respondents

(By Advocate Mr. C.Rajendran,SCGSC)

This application having been heard on 9th September 2004
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN

This application has been filed challenging Annexure A-4
order by which the claim of the applicant for employment
assistance on compassionate grounds was turned down. The brief
facts can be stated as follow :

2. Applicant's father Balan while working as Postal Assistant
in Thiruvananthapuram died in harness on 2.4.1999 at the age of
55 years leaving behind the applicant, his mother and two married
sisters. Immediately on the death of the applicant's father the
applicant submitted an application before the 4th respondent
claiming employment assistance on compassionate grounds. The

claim was rejected by Annexure A-2 order dated 8.8.2000 on the ground that the Circle Relaxation Committee did not find the family in indigent circumstances warranting employment assistance on compassionate grounds. The applicant challenged the correctness of the order in O.A.404/02. The O.A. was disposed of with a direction to the respondents to dispose of the appeal submitted by the applicant with reference to the instructions in force with a speaking order. It appears that pursuant to the above direction Annexure A-4 order dated 17.3.2004 has been issued again rejecting the claim of the applicant on the ground that the fact that the two daughters of the deceased had been married, that the family had received terminal benefits to the tune of Rs.2,72,657/- that even after the death of Balan family purchased a property, that there is no minor member in the family discloses that the family was not in such an indigent circumstance as to warrant employment assistance on compassionate grounds against the meagre number of vacancies available and large number of more deserving cases. Dissatisfied by the order the applicant has filed this application seeking to set aside the impugned order Annexure A-4 declaring that the applicant is entitled to be considered for employment assistance on compassionate grounds and for appropriate directions.

3. Shri.C.Rajendran,SCGSC took notice on behalf of the respondents. I have gone through the application in detail and have heard Shri.S.Rajasekharan Nair learned counsel of the applicant and Shri.C.Rajendran,SCGSC for the respondents. The Circle Relaxation Committee which considered the case of the applicant had taken into account the relevant factors like the number of members in the family, their ages, assets and

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liabilities as also the number of vacancies available for employment assistance on compassionate grounds and took a decision that the family was not in an indigent circumstance warranting employment assistance on compassionate grounds. Undisputedly the daughters of the deceased had been married and apart from the widow there was only the applicant in the family who was 25 years old on the date of death of Balan. The family received fairly good sum as DCRG etc. and is in receipt of family pension. In this fact situation it is not possible to say that the decision of the competent authority is perverse requiring intervention by the Tribunal.

4. In the light of what is stated above I do not find anything in this case which calls for admission of this application and further deliberation. The application is therefore rejected under Section 19(3) of the Administrative Tribunals Act, 1985.

(Dated the 9th day of September 2004)



A.V. HARIKASAN
VICE CHAIRMAN

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