

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.584/05

Thursday this the 4th day of August 2005

C O R A M :

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

1. Mariakutty Sadanandan,
W/o.late Sadanandan,
Kaipakavady, Thekkemmuri,
East Kallada P.O., Kollam (Dist.).

2. Vinod S Anand,
S/o.late Sadanandan,
Kaipakavady, Thekkemmuri,
East Kallada P.O., Kollam (Dist.).

Applicants

(By Advocate Mr.P.C.Haridas)

Versus

1. Union of India represented by Secretary,
Department of Communications & Information Technology,
New Delhi.

2. The Chief Post Master General,
Kerala Circle, Thiruvananthapuram.

3. Senior Superintendent of Post Offices,
O/o.the Senior Superintendent of Post Offices,
Kollam Division, Kollam.

Respondents

(By Advocate Mr.T.P.M.Ibrahim Kham, SCGSC)

This application having been heard 4th August 2005 the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN

The applicants herein are the wife and 1st son of late Sadanandan who died in harness in the year 2002. The prayer in the O.A. is for consideration under the Compassionate Appointment Scheme. The applicants also challenged the impugned orders at Annexure A-2 and Annexure A-5 which rejected the case of the applicants on the ground that family is not in penury. When the matter came up counsel for the applicants submitted that the family owns only 10 cents of land and house and no other means of income hence rejection of the application by the respondents is unjustified.

Cm

2. I have gone through the records. First of all, when the applicants approached this Tribunal there was a delay of 44 days and also a further delay in representing the O.A. Counsel for the applicants requested for condonation of delay. I find that even if the delay is condoned there was no merit in the O.A. as the applicants case has been duly considered by the respondents at the highest level, namely, at the level of ministers and after a consideration by the Circle Relaxation Committee it was rejected on the ground that the family did not deserve help as they are not in distress. It is now well settled law of the Supreme Court that the only ground which can justify compassionate appointment is relief against destitution and entire scheme is meant not as an employment scheme but only to provide immediate relief at the time of distress. Therefore, I do not find any merit in the case of the applicants. The O.A. is accordingly dismissed. No order as to costs.

(Dated the 4th day of August 2005)

Sathi Nair

SATHI NAIR
VICE CHAIRMAN

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