

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO.101/2002

Tuesday, this the 5th day of February, 2002.

CORAM;

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

HON'BLE MR T.N.T.NAYAR, ADMINISTRATIVE MEMBER

P.Ajayakumar,
S/o E.R.Padmanabhan Nair,
Elenjickamalil House,
Mulavoor.P.O.
Muvattupuzha MKT(via),
PIN - 686 673.

- Applicant

By Advocate Mr P Ramakrishnan

Vs

1. Union of India represented by
the Director General,
Department of Posts,
New Delhi.

2. Senior Superintendent of Posts,
Aluva Division,
Aluva-683 101.

- Respondents

(By Advocate Mr N. Mahesh, ACGSC)

The application having been heard on 5.2.2002 the Tribunal on the same day delivered the following:

O R D E R

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


The applicant, the son of an Extra Departmental Branch Post Master (EDBPM for short), who was discharged on medical ground, made a request for employment assistance on compassionate ground on the ground that by cessation of employment^{of} his mother, the only income on which the family was depending for livelihood has been lost. This request has been

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turned down by the impugned order dated 10.1.2002 on the ground that the office of the BPM, Iramallor has not yet become vacant and that there is no provision in the existing rules for employment on compassionate ground to dependents of ED Agents discharged on medical grounds. The applicant has in this application alleged that even though the post of BPM has not fallen vacant, the respondents are bound to consider the case of the applicant and that the stand taken by the respondents that there is no provision in the rules for grant of employment assistance to dependents of ED Agents discharged on medical grounds is no more tenable in view of the ruling of the Full Bench of this Tribunal in O.A.220/98.

2. When the application came up for hearing, Shri N Mahesh, ACGSC took notice on behalf of the respondents. It was agreed by the learned counsel on either side that the application may be disposed of setting aside the impugned order in view of the ruling of the Full Bench of this Tribunal in O.A.220/98 and directing the second respondent to reconsider the claim of the applicant for employment assistance on compassionate grounds.

3. In the light of the above submission made by the learned counsel on either side, the application is disposed of setting aside the impugned A-4 order and directing the second respondent to reconsider the claim of the applicant for employment assistance on compassionate ground in view of the ruling of the Full Bench of the Tribunal in O.A.220/98 wherein it has been held that the dependents of ED Agents discharged

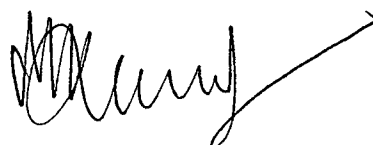


on medical grounds are also eligible to be considered for employment assistance on compassionate ground. An appropriate reply shall be given to the applicant within a period of three months from the date of receipt of copy of this order. There is no order as to costs.

Dated, the 5th February, 2002.



T.N.T.NAYAR
ADMINISTRATIVE MEMBER



A.V.HARIDASAN
VICE CHAIRMAN

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A P P E N D I X

Applicant's Annexures:

1. A-1 : True copy of an order No.87/80/185 dated 22.4.1999 issued by the 2nd respondent reliving the applicants mother on medical grounds.
2. A-2 : True copy of representation dated 19.12.2001 submitted by the applicant to the 2nd respondent.
3. A-3 : True copy of a representation dated 19.12.2001 submitted by the applicants mother to the 2nd respondent.
4. A-4 : True copy of the order No.87/80/223 dated 10.1.2002 passed by the 2nd respondent on the applicants representation dated 19.12.2001.

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