

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

O. A. No. 12 1992  
T. A. No.

DATE OF DECISION 17.2.92

Geetha Gopinath Applicant (s)

Mr. G. P. Mohanachandran Advocate for the Applicant (s)

Versus

The Assistant Director, (Rectt.)  
Office of Chief Post Master General Respondent (s)  
Kerala Circle, Trivandrum and others

Mr. George Joseph, ACGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. N. V. KRISHNAN, ADMINISTRATIVE MEMBER

The Hon'ble Mr. N. DHARMADAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. To be circulated to all Benches of the Tribunal?

JUDGEMENT

MR. N. DHARMADAN, JUDICIAL MEMBER

The applicant is the daughter of deceased Govt. servant ~~xxxx~~ N. Gopinath and she prays for compassionate appointment which has been rejected by Annexure A-4 order dated 9.12.91.

2. Earlier, when, applicant's claim for compassionate appointment was not at all considered by the Department, on the ground that Gopinath, the deceased govt. servant, did not die in harness but that he had sought voluntary retirement and then died, the applicant filed O.A. 518/91.

which was allowed in which the Respondents were directed to  
u the applicants request.  
consider, treating that the deceased Govt. servant deemed to  
have retired on invalidation pension on medical grounds and  
died in harness and the claim for compassionate appointment  
should be considered on merits. In pursuance thereof, the  
applicant made an application and after enquiry it was  
rejected. It was stated that the applicant is a married  
person.

3. In the circumstances of the case, we doubt, whether  
any claim of the applicant for compassionate appointment  
u I fence we wanted to see the record  
would lie at all. We notice that the applicant submitted  
an application on 17.12.90 to the PMG. The grounds stated  
is that though all the benefits due to the deceased govt.  
servant have been sanctioned, the amount received is not  
sufficient to maintain the family and the family consisting  
of three members find it very difficult to pull on. Hence,  
the request for compassionate appointment was made.

4. The records produced before us by the learned  
counsel for the learned counsel for respondents shows that  
a detailed enquiry has been made in which it was found that  
the late Government servant is survived by his wife and  
two children of whom one is the applicant. The wife of  
the govt. employee not only gets family pension but also  
is in receipt of State Govt. pension, she having retired as  
Nurse. Both the daughters, including the applicant, are  
married and the widow has not made any claim for compassionate  
appointment. The family pension given to the widow is

Rs. 1216/- and in addition she gets State Govt. pension.

5. We are of the view that the only person who ~~is~~ <sup>was</sup> left behind by the deceased Govt. servant who would have required compassionate appointment was the widow, the daughters having, <sup>been</sup> ~~govt servant~~ married earlier are not dependents on the ~~widow~~. After the govt. servant's death, the widow is getting both family pension and State Govt. pension and hence there is no real indigence for the family. In this view of the matter, we are of the view that there is no merit in the application. It is dismissed.

N. Dharmadan  
17.2.92

(N. DHARMADAN)  
JUDICIAL MEMBER

N. V. Krishnan  
17.2.92

(N. V. KRISHNAN)  
ADMINISTRATIVE MEMBER

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