

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
T. A. No.

12

1992

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, ^u 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. ^u It ~~was~~ stated that the applicant is a married
person.

3. In the circumstances of the case, we doubt, ^u whether
any claim of the applicant for compassionate appointment
U & hence 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.

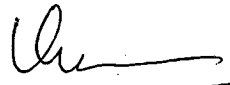
4. The records produced before us by the learned
counsel for the ~~learned counsel for~~ respondents shows that
a detailed enquiry has been made in which ~~it was~~ found that
the late Government servant is survived by his wife and
two children of ^{whom} ~~which~~ one is the applicant. The wife of
the govt. employee not only get 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 ^{was} ~~is~~ left behind by the deceased Govt. servant who would have required compassionate appointment was the widow, the daughters having ^{been} married earlier ^{& govt servant} 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.


17.2.92

(N. DHARMADAN)
JUDICIAL MEMBER


17.2.92

(N. V. KRISHNAN)
ADMINISTRATIVE MEMBER

knn