

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

O.A.No.208/08

Thursday this the 22<sup>nd</sup> day of January 2009

**C O R A M :**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

M.A.Anilkumar,  
S/o.late M.Antony,  
Palaravila Veedu,  
Panangod, Venganoor Post,  
Thiruvananthapuram.

...Applicant

(By Advocate Mrs.K.Usha)

**Versus**

1. Senior Superintendent of Post Offices,  
General Post Office, Thiruvananthapuram  
North Circle, Kerala.
2. The Chief Post Master General,  
Kerala Circle, Thiruvananthapuram.
3. The Director General of Posts,  
Dak Bhavan, New Delhi.

...Respondents

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

This application having been heard on 22<sup>nd</sup> day of January 2009 the Tribunal on the same day delivered the following :-

**ORDER**

**HON'BLE Mr.GEORGE PARACKEN, JUDICIAL MEMBER**

The applicant's grievance in this Original Application is that the respondents have not granted him compassionate appointment on the death of his father while in service on 7.7.2001. He has also filed M.A.412/08 in this Original Application for condonation of delay in filing this present application. According to him, he made several representations



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and the last one was on 12.10.2003. According to him, since nothing was heard from the 3<sup>rd</sup> respondent for all these years, he was under the belief that they would pass favourable orders in his case and grant the appointment on compassionate grounds. He has, therefore, prayed for condoning the delay of 1259 days in filing this Original Application.

2. The respondents in their reply statement submitted that after the death of Shri.M.Antony, the applicant had submitted the application for appointment on compassionate grounds and the same was duly considered by the Circle Relaxation Committee on 14.12.2001 and rejected his request for the reason that there were no dependents in the family of the deceased Government servant. The wife of late Shri.M.Antony pre-deceased him on 21.10.1992 while in service under the Government of Kerala. Consequently, the applicant's sister Smt.P.Ambili was given appointment on compassionate grounds. After the death of Shri.M.Antony, applicant being the only surviving member of the family, he was granted all the terminal benefits to the tune of Rs.3,84,000/-. Moreover, the applicant, though not permanently employed, he was working against the leave vacancy of Group D/Postman in the respondents department. He is also having 4 cents of land and a house thereon.

3. I have heard counsel for the parties. "The very object of the Scheme is to grant appointment on compassionate grounds to a dependent family member of a Government servant dying in harness or who is retired on medical grounds, thereby leaving his family in penury and without any



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means of livelihood, to relieve the family of the Government servant concerned from financial destitution and to help it get over the emergency." The applicant's father passed away more than eight years ago. His application for compassionate appointment was duly considered by the competent authority on 14.12.2001 itself. However, he was not recommended for such an appointment for the reasons that he was not in any financial destitution or in any emergency. This is also evident from the fact that the applicant has not approached this Tribunal against the alleged inaction of the respondents for the last over eight years. I do not find anything wrong in the decision of the competent authority not to grant him any compassionate appointment after duly considering the financial condition of the deceased employee's family.

4. I, therefore, dismiss both the OA as well as the MA for condonation of delay in filing the OA. There shall be no order as to costs.

(Dated this the 22<sup>nd</sup> day of January 2009)

  
**GEORGE PARACKEN**  
**JUDICIAL MEMBER**

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