

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW.

ORIGINAL APPLICATION NO: 278/2006

Lucknow this, the 29th day of September, 2006.

HON'BLE MR. JUSTICE KHEM KARAN, VICE CHAIRMAN

Kamlesh Kumar Prajapati,
Aged about 22 years, son of Jagannath Prajapati,
Resident of village Sukhanipur(Pajhan),
Post office-Bajhan, District-Pratapgarha.

Applicant.

By Advocate Shri N.B. Singh.

Versus

1. Union of India, through Secretary,
Postal & Telegraph, New Delhi.
2. Chief Post Master General, U.P. Lucknow.
3. Director Postal Services, Allahabad.
4. The Senior Superintendent of Post Offices, Pratapgarh.

Respondents.

By Advocate Shri S. K. Singh.

Order(Oral)

By Hon. Mr. Justice Khem Karan Vice Chairman.

Heard Shri N.B. Singh, appearing for the applicant and Shri S.K. Singh appearing for the respondents.

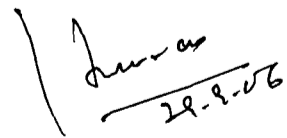
2. The applicant has prayed that the opposite parties be directed to appoint him on compassionate grounds as his father Jagannath Prajapati, died in harness on 28.2.2001 while serving as Postal Assistant at Sub -Post Office Kishunganj, District Pratapgarh leaving behind him, the applicant and others as his dependents. It is said that the applicant

applied on 8.8.2004(Copy of application is Annexed as Annexure A-3) for compassionate appointment and also gave reminders but till date no decision has been taken on his application.

3. The respondents have filed reply quoting the Government orders on the subject of compassionate appointment and saying that according to O.A., the applicant gave application dated 8.8.2004, after about 3 years of the death of his father and his mother, also did not apply, soon after death of her husband, and the same are sufficient to say that the family was not in need of employment. It is clearly stated in Para 15 of this reply that the application dated 8.8.2004 referred to in the Original Application is pending for disposal before the opposite parties.

4. This much is clear from the pleadings that the request of the applicant for appointment on compassionate grounds under dying in harness rules, is pending and has not been rejected so far. Whether the applicant is entitled to that appointment is a matter which has to be first considered by the authorities concerned, and since it has not been alone so far, so the proper cause seems to be to ask the authority concerned to consider the matter and take decisions.

5. This O.A. is finally disposed of with a direction to Respondent No. 4 to take early decision on applicant's application for compassionate appointment in accordance with rules/Government orders on the subject within a period of 6 months from the date a certified copy of this order together with the copy of application dated 8.8.2004 is produced before him. No order as to costs.


28-8-06

(Khem Karan)
Vice Chairman.