

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

Original Application No. 231 of 1991

Jai Prakash Singh

Applicant
versus

Union of India & Others Respondents

Hon'ble Mr. Justice U.C. Srivastava, VC

Hon'ble Mr. K. Obayya, Member(A)

(By Hon'ble Mr. Justice U.C. Srivastava, VC)

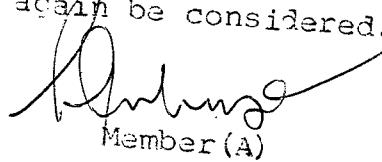
As the pleadings are complete, the case is being heard and disposed of finally after hearing the counsel for the parties.

2. The father of the applicant who was a Postal Assistant, died in harness. After the death of the father of the applicant, his mother Smt. Raj Devi moved a representation to Senior Superintendent of Post Offices, Faizabad to appoint her son namely Sri Jai Prakash Singh on compassionate ground, but the representation was rejected on 7.7.1990 by the Senior Superintendent of Post Offices, Faizabad. Whereafter this application has been moved.

2. The respondents have opposed the application and pleaded that the case of the applicant was considered, but his case was not found better than the other cases, who were also waiting for their turn to come for getting compassionate appointment. It has been stated that the mother of the applicant is getting a sum of Rs. 760/- per month as pension and besides she was paid D.C.R.G. Rs. 50,160/- and C.P.F. Rs. 37,129/- leave encashment Rs. 3,598.70 and C.I. Rs. 22,016/-. Out of two sons, the elder son is already in Army and the mother is residing in village and it has been very clearly stated that she has own Agricultural land also.

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As everyone claiming compassionate appointment can not be accommodated, but those whose family is in indigent position, on which there is no one to support the family are given priority and preference. It has been stated in the application that her elder son is not supporting the family. It may be so, but it appears that the case of the applicant was judged to the other cases and priority was given to the other cases and that's why the case of the applicant was rejected. Although, it should not have been rejected and the applicant's name should have been entered in the list and in case, there was no other better candidate available, then the applicant's case should have been considered for the compassionate appointment and accordingly, with the direction that the name of the applicant may be entered in the register and his case may be kept alive and in case it is found that no better case is available and appointment and vacancy is available, his case for appointment on compassionate ground may again be considered.



Member (A)

Lucknow Dated 16.9.1992,
(RKA)



Vice-Chairman