

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

ORIGINAL APPLICATION NO: 119/2001

DATE OF DECISION: 07/06/2001

Shri Uday Prakash Kulkarni

Applicant

Shri S.P.Kulkarni

-----Advocate for  
Applicant.

Versus

Union of India & 2 Ors.

-----Respondents.

Shri S.S.Karkera for Shri P.M.Pradhan

Advocate for  
-----Respondents.

Coram:

Hon'ble Smt. Shanta Shastry, Member(A).

1. To be referred to the Reporter or not? /x
2. Whether it needs to be circulated to other Benches of the Tribunal?
3. Library. ✓

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(SHANTA SHASTRY)  
MEMBER(A)

abp

**CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH  
ORIGINAL APPLICATION NO:119/2001  
DATED THE 7th DAY OF JUNE, 2001**

**CORAM:HON'BLE SMT.SHANTA SHASTRY, MEMBER(A)**

Shri Uday Prakash Kulkarni, (Ghooke),  
Residing at : B-2-3,  
Parvathi Apartments, Dattanagar,  
Masadgarh, Jalna,  
AT P.O. & District Jalna.  
District Aurangabad.

... Applicant

By Advocate Shri S.P.Kulkarni.

V/s.

Union of India,  
Through

1. The Chief Postmaster General,  
Maharashtra Circle, G.P.O.Building,  
IInd Floor, Near C.S.T.Railway Station,  
Mumbai - 400 001.

2. The Postmaster General,  
Aurangabad Region,  
At P.O.Aurangabad-431 002.

3. Senior Superintendent of Post Offices,  
Aurangabad Postal Division,  
Aurangabad - 431 002.

... Respondents

By Advocate Shri V.S.Masurkar

**(ORDER) (ORAL)**

**Per Smt.Shanta Shastri, Member(A)**

The prayer of the applicant is to grant him compassionate appointment, and to quash and set aside the orders dated 14/3/2000, 13/12/99 and 17/11/99. The applicant has also sought calling of the records of the case and to declare the decision of the respondents as based on incorrect and incomplete data and arbitrary. Applicant has prayed for a direction to the respondents to reassess the case of the applicant to grant the necessary relief and also cost of this application.

2. Shri S.P.Kulkarni submits that the applicant has several liabilities. In the synopsis in para-4.4, the applicant has listed the liabilities. It is the contention of the learned counsel for the respondents that the respondents have filed their view on the liabilities of the applicant in para 10 of the reply. According to the applicant, the monthly expenditure of the family come up to Rs.4,820/- while the Pension granted is only Rs.2,400/- per month. This being inadequate and there being other liabilities like repayment of house loan etc it is not possible for the applicant to maintain the family within the pension. Also there were expenses on medical treatment of the late father. He therefore prays that the respondents should in turn be directed to reassess his case after taking into account the liabilities as pointed out by the applicant.

3. The respondents have filed a reply and have stated that the applicant's case has been considered not only on merits, but his liabilities have also been taken note. On the death of the father, the family was paid a total amount of Rs.3,31,708/towards his retiral benefits. A pension of Rs.2,400/- is being paid per month. It is seen from the record that the maintenance of the family also included the liability of marriage of two daughters and two sons. It is seen that one of the daughter is already married. These liabilities have been taken into account by the respondents. The respondents have clearly explained in their reply that the liabilities mentioned by the applicant are to be handled by the family itself and it cannot be said that the

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applicant's family is in indigent circumstances. The respondents have therefore rejected the case of applicant for compassionate appointment as per rules.

4. I have gone through the reply of the respondents and have also heard the learned counsel for applicant. On perusal of the reply and other pleadings, I am satisfied that the respondents have considered the case of the applicant on merits after taking into account the applicant's stand, though there was no column in the synopsis regarding liabilities. They have not overlooked the liabilities of the applicant. I find that respondents have applied their mind to the liabilities of the applicant and therefore I do not find any ground to interfere with the decision of the respondents in this matter. The OA is dismissed. No costs.



(SHANTA SHASTRY)  
MEMBER(A)

abp.