

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 16 DEC 1988

APPLICATION NO.

1757

88(F)

W.P. NO.

Applicant(s)

Shri M. Abdulla

To

1. Shri M. Abdulla  
C/o Shri Kaja Hussain Sab  
Skin Merchant  
Hirehadagalli - 583 216  
Bellary District

Respondent(s)

V/s The Post Master General, Karnataka, Bangalore

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER ~~NOTAY AND PAMK ORDER~~  
passed by this Tribunal in the above said application(s) on 5-12-88

*Received  
H. M. Iyer  
19-12-88*

Encl : As above

*H. M. Iyer*  
SECTION OFFICER  
EXCECRARY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 5th DAY OF DECEMBER, 1988

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice Chairman  
Hon'ble Sri P.Srinivasan Member (A)

APPLICATION No.1757/88(F)

M.Abdulla,  
Rtd.Mailoverseer,  
C/o Kaja Hussain Sab  
Skin Merchant,  
Hirehadapath-583216,  
BELLARY DIST. ... Applicant

vs.

The Postmaster General,  
Karnataka Circle,  
Bangalore. ... Respondent

This application having come up before the Tribunal  
today, Hon'ble Member (A) made the following :

O R D E R

In this application the applicant who retired as a  
Mail Overseer from the Postal Department on 30.9.1981  
prays for a direction to be issued to the respondent, viz.,  
Post Master General, Karnataka Circle, to give an appoint-  
ment to his son Bashir on compassionate grounds. When the  
matter came up for admission today we find that the applicant  
has sent a letter requesting that the question of admission  
may be decided in his absence as he is unable to come to  
the court.

2. In view of the above we have carefully perused the  
application. The office has raised two objections viz.  
(1) the person aggrieved is not the applicant but his son  
who seeks employment and that it was he who should have made



the application; and (2) the cause of action arose when the applicant's request for the appointment of his son was rejected on 19.1.1985 and according to Section 21 of the Administrative Tribunals Act, 1985, the application should have been filed on or before 1.5.1986. The application has been filed on 29.8.1988 nearly two years and five months late.

3. Apart from the office objection noticed above we also find that the application does not deserve to be admitted even on merits. Appointment on compassionate grounds is given only when a person in Government service dies while in service but not when he has retired from service. This is a case of a Government servant who retired from service and, therefore, his son is not entitled to appointment on compassionate grounds.

4. In view of the above we accept the office objections and reject the application in limine as being out of time.



Sd/-  
VICE CHAIRMAN *ST/12/88*

Sd/-  
MEMBER (A) *ST/12/88*

TRUE COPY

*H. Rao* 16/12  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE