

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 8/92

198

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DATE OF DECISION 30.10.92

Shri Syed Nooruddin Petitioner

Advocate for the Petitioner(s)

Versus

Chief Post Master General Respondent
(Maharashtra Circle Bombay) and others

Shri P.M. Pradhan, Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice S.K. Dhaon, Vice Chairman

The Hon'ble Mr. M.Y. Priolkar, Member (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

ND

S.K. Dhaon
(S.K. DHAON)
VICE CHAIRMAN.

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CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 8/92

Shri Syed Nooruddin

... Applicant.

V/s.

Chief Post Master General
(Maharashtra Circle Bombay)
Bombay

Post Master General
Aurangabad Circle
Aurangabad.

Senior Superintendent of
Post office Aurangabad
Division Aurangabad

... Respondents.

CORAM: Hon'ble Shri Justice S.K. Dhaon, Vice Chairman.

Hon'ble Shri M.Y. Priolkar, Member(A).

Appearance:

Shri P.M. Pradhan, counsel
for the respondents.

ORAL JUDGEMENT:

Dated: 30.10.92.

(Per Shri S.K. Dhaon, Vice Chairman)

The prayer is that the respondents may be directed to give a suitable employment on compassionate ground to one of the heirs of one Shri Syed Nooruddin, who admittedly died in hardness.


A reply has been filed on behalf of the respondents. It is stated therein that the Director General (Posts) New Delhi considered the case of the applicant and rejected the same. In the reply a reference is made to a communication dated 11.2.92 of the Chief Postmaster General, Maharashtra Circle. The original file containing the said communication has been produced before us. We have perused the same. The reason given in the communication is that the Director General (Posts) felt that the purpose of providing immediate assistance did not exist as the employee (Syed Nooruddin) dies 15 years


back. This in our opinion is not a relevant consideration. Mere delay on the part of the claimant will not be a relevant ground for not considering the application for giving a suitable appointment on compassionate ground. The decision of the Director General(Post) therefore is not sustainable.

The Director General(Posts) will apply his mind afresh on the facts stated in the representation made by the applicant and thereafter pass an order on merits and in accordance with law. If he decides to reject the representation, he shall give reasons in support of his order and communicate the same to the applicant within four weeks from the date of making the same.

With these directions this application is disposed of finally.

There shall be no order as to costs.


(M.Y. Priolkar)
Member(A)


(S.K. DHAWON)
Vice Chairman.

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