

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE- 560 038.

Dated: 25 JAN 1995

APPLICATION NO: 1541 of 94.

APPLICANTS:- Sri. Mohammed Zaheeruddin and another.
V/S.

RESPONDENTS:- The Secretary, Dept of Posts, New Delhi and others.

T.

- ① Sri. S.K. Mohiyuddin,
Advocate, No. 11, K.P. Road,
Teeran Bldg, Bangalore-1
- ② Sri. M. Vasudeva Rao,
Addl. C.G.S.C.
High Court Bldg,
Bangalore-1


Subject:- Forwarding of copies of the Order passed by the
Central Administrative Tribunal, Bangalore.

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Please find enclosed herewith a copy of the ORDER/
~~STAY ORDER/INTERIM ORDER/~~ passed by this Tribunal in the above
mentioned application(s) on 18-01-95

Issued on
25/01/95
B.

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for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

ORIGINAL APPLICATION NO. 1541/1994

DATED THIS THE EIGHTEENTH DAY OF JANUARY, 1995

Mr. Justice P.K. Shyamsunder, Vice Chairman

1. Mohammed Zaheeruddin
Btd. Head Postman
(Applicant - 1)
Gulbarga.
2. Mohammed Anvaruddin
S/o. Mohammed Zaheeruddin
(Applicant-2)
Residing at H.No.5-930
Chotta Roza, Gulbarga. Applicants

(By Advocate Mr. S.K. Mohiyuddin)

Vs.

1. Union of India Through
Secretary, Department of Post
Dak Bhavan, New Delhi-110 001.
2. Chief Post Master General
Karnataka Circle, Palace Road
Bangalore-560 001.
3. Senior Superintendent of Post
Offices, Gulbarga - 585 101. Respondents

(By Mr. M.V. Rao, A.C.G.S.C.)

O R D E R

Admit.

Having heard both sides, I find that the father and son who figure as applicants herein cannot be assisted directly by this Court, in that I find that the applicant no.2 applied for appointment on compassionate ground in the postal Department on the score of his father's



invalidity, the father having served for more than 3 decades faithfully in the Postal Department in Gulbarga District had retired on invalidation in the year 1991 and thereafter the son it is said had necessarily to take up the responsibility of looking after the family and hence applied for compassionate appointment in the Postal Department. The demand has now been turned down by the competent authorities stating that the circumstances of the case do not permit making of an compassionate appointment.

2. Be that as it may, although it may have been possible to take a different view on the admitted facts of this case, I now find the applicant is overaged for being considered for any permanent position in the department having been born in the year 1967. As on date he is more than 28 years of age. The rules of recruitment of the Central Govt. prescribe a maximum age limit of 25 years, may be subject to relaxation. The fact remains that as on this date, the applicant is overaged and I have no power to direct the department to relax the age prescription. Therefore, I must reluctantly decline to interfere in the matter. The applicant's name for compassionate appointment stands defeated by his own age but he can certainly be considered for the post of an Extra Departmental Delivery Agent in Gulbarga District. But of course that issue will arise for consideration only when there is a vacancy and the applicant also puts himself as a candidate thereto. In that view of the matter, I direct the department to consider the case of the applicant if and when an occasion arises for recruiting any Extra Departmental Delivery Agents in Gulbarga

District. Mr. Mbhiyuddin says that his client has registered his name in the local Employment Exchange.

If that is so, then there will be little problem in appointing him as EDDA subject to there being an occasion in the future and the Employment Exchange may also help him by sponsoring his name along with others if and when an occasion arises.

3. With these observations, the application stands disposed of. No costs.

Sd/-

(P.K. SHYAMSUNDAR)

VICE CHAIRMAN



TRUE COPY

Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore