

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

 BOMBAY BENCH

O.A. No. 582/93
T.A. No. --

198

DATE OF DECISION 24-12-93

Chandrakant Vishwasrao Phadtare Petitioner

Mr. S.P. Saxena

Advocate for the Petitioner(s)

Versus

U.O.I. & Ors.

Respondent

Mr. P.M. Pradhan

Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. Justice M.S. Deshpande, Vice-Chairman

The Hon'ble Mr. --

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 in needs to be circulated to other Benches of the Tribunal? *W*

(Signature)
(M.S. DESHPANDE)

vc

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.582/93

Chandrakant Vishwasrao Phadtare,
36, Akshay Kripa Housing Society
(Back side of Irrigation Department)
Krishna Nagar,
Satara - 415 003.

.. Applicant

-versus-

1. Union of India
through
The Secretary,
Ministry of Post
Govt. of India,
DHQ PO New Delhi - 110 011.
 2. The Chief Post Master General(MC)
Bombay - 400 001.
 3. The Post Master General(Goa Region)
Panjim, 403 001.
 4. The Superintendent of R.M.S.
B.M.Division,
Miraj 416 410
- .. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman

Appearance:

1. Mr.S.P.Saxena
Counsel for the
Applicant.
2. Mr.P.M.Pradhan
Counsel for the
Respondents.

ORAL JUDGMENT:
Per M.S.Deshpande, V.C.¶


Date: 24-12-93

The deceased Vishwasrao Shankar Phadtare who was Sorting Assistant with the respondents died on 14-9-1989. The applicant is one of four children of the deceased. The contention is that the family lives in indigent circumstance and the applicant was dependent entirely on his late father. No reply has been filed by the respondents inspite of several chances given earlier.

2. From the impugned order dt.22/23-8-91 it is apparent that there is no dispute about the eligibility of the applicant that the compassionate appointment was refused only on the ground that the family was not in indigent circumstance because the terminal benefits have been received by the family of the deceased. That cannot be a ground for refusing compassionate appointment. Even after hearing Mr.P.M.Pradhan for some time it does not appear to me from the material on record that the applicant could have legitimately denied compassionate appointment.

3. In the result order dt.22/23-8-91 at Ex.A-1 to the application is quashed and respondents are directed to grant compassionate appointment ~~at~~ to the applicant within two months from the date of receipt of a copy of this order. The O.A. is disposed of accordingly with no order as to costs.

M


(M.S.DESHPANDE)
Vice-Chairman