

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION No. 83/1998

Date of Decision: 23/4/98

Mrs. K.M. Bhingale

Petitioner/s

Shri S.P. Kulkarni

Advocate for the
Petitioner/s

V/s.

Union of India & 2 Ors.

Respondent/s

Shri S.S. Karkera for

Shri P.M. Pradhan

Advocate for the
Respondent/s

CORAM:

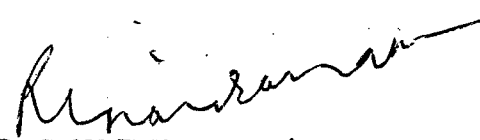
Hon'ble Shri Justice R.G. Vaidyanatha, Vice Chairman.

Hon'ble Shri

(1) To be referred to the Reporter or not ?

(2) Whether it needs to be circulated to
other Benches of the Tribunal ?

trk


(R.G. VAIDYANATHA)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING No.6
PRESCOT ROAD, MUMBAI 400001

ORIGINAL APPLICATION No.83/98

DATED : 23rd APRIL, 1998

CORAM : HON'BLE SHRI JUSTICE R.G.VAIDYANATHA, V.C.

Sou. Koushalya Maharudra Bhingale
E.D.Sweeper
Office of the Superintendent
of Post Offices
Beed Postal Division
Beed 431122
r/a.Dhangarpura
at & PO. Beed 431122
(By Adv. Mr. S P Kulkarni)

..Applicant

V/s.

Union of India
through Assistant Superintendent
of Post Offices
North Sub Division
AT & PO. Beed 431122 & 2 ors.
(By Adv. Mr. S S Karkera for
Mr. P M Pradhan, Central Govt.
Standing Counsel)

..Respondents

ORDER
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[PER: R.G.VAIDYANATHA, VICE CHAIRMAN]

1. This is an application seeking compassionate appointment. Respondents have filed reply opposing the application. I have heard both the learned counsel

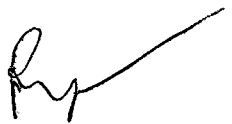
2. Applicant's mother-in-law Smt. Gangubai who was working as Extra Departmental Sweeper in the Office of the Superintendent of Post offices, Beed Post Office, Beed, expired on 21.10.1996. The applicant made an application to the department for appointment on compassionate grounds. Her request was rejected and



hence the applicant has approached this Tribunal for the same relief.

3. After hearing both the sides I find that the applicant is not entitled to appointment on compassionate grounds as per the existing rules. But, however, I cannot lose sight of the fact that the family is in dire need of a bread winner after the death of Gangubai. The applicant has already been given a part time job as sweeper by the respondents and their contention is that the applicant cannot be given regular appointment on compassionate grounds as per existing rules. Learned counsel for the applicant submitted that even if the applicant could not be appointed on a regular basis on compassionate grounds her request for appointment on part time basis under contingent funds may be considered by the department. Shri Karkera, after taking instructions from the respondent officer, submitted that if the applicant makes any such representation the same would be considered by the department as per rules.

4. For the above reasons the O.A. is disposed of at the admission stage giving liberty to the applicant to make an application for appointment on part time basis, payment ~~of~~ which is to be paid from the contingent funds. If such an application is made by the applicant, the respondents may consider the same on humanitarian grounds and as per the existing rules and pass appropriate orders



according to law. In the circumstances of the case there would be no order as to costs.

A handwritten signature in dark ink, appearing to read 'R. G. Vaidyanatha', with a long horizontal flourish extending to the right.

(R.G.Vaidyanatha)

Vice Chairman