

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.552/90

DATE OF JUDGEMENT: 26th FEBRUARY, 1992

BETWEEN

Kum M.V. Lalithakumari .. Applicant

AND

1. The Secretary to Government
Department of Posts, New Delhi
2. The Chief Post Master General
Hyderabad
3. The Postmaster General, Kurnool.
4. The Senior Superintendent
of Post Offices, Chittoor .. Respondents

Counsel for the applicant :: Sri K.S.R.Anjaneyulu

Counsel for the respondents :: Sri NV Ramana,
Addl.CGSC

CORAM:

THE HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

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JUDGEMENT OF THE SINGLE MEMBER BENCH DELIVERED BY
THE HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER (JUDL.)

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to consider and appoint the applicant to any suitable post on compassionate grounds.

The facts giving rise to this application in brief may be stated as follows:

1. The applicant herein Kum M.V.Lalithakumari is the 2nd daughter of Sri M. Venkataramana, who retired as Sorting Postman, Chittoor. The father of the applicant Sri Venkataramana was declared permanently incapacitated for further service in the Department at his age of 51 years as per Medical certificate dated 25.2.1988 and retired from service on invalidation with effect from 25.2.1988 as per Senior Superintendent of Post Offices, Chittoor letter No.B4-6/MV dated 3.3.1988.
2. The father of the applicant submitted a representation dated 28.3.1988 to the Senior Superintendent of Post Offices, Chittoor stating that he had been retired on invalidation at the age of 51 years and his first daughter Kum M.V. Padmavathi was studying 2nd year B.Sc. and that the applicant herein Kum Lalitha-Kumari was studying Inter Senior, and requested that the applicant herein be provided with a Job in the Department on compassionate grounds ~~to~~ provide relief to the family. The applicant has passed inter senior in June 1989.

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3. The Senior Superintendent of Post Offices Chittoor in his letter No.B4/RE/MV/42/88 dated 8.1.90 representation of in reply to the/father of the applicant [redacted] stated that the case of the applicant for appointment on compassionate grounds was considered and rejected by the Circle Selection Committee as per Post Master General Hyderabad Letter No.WLF/-1-26/23/88 dated 4.1.90.

4. According to the applicant, the action of the respondents in rejecting the application is without any valid reasons. Hence, the present OA is filed by the applicant for the reliefs as indicated above.

5. With regard to the Government servants who retire on medical grounds, the compassionate appointments have to be made only in exceptional cases when the Department is satisfied [redacted] that the family [redacted] is indigent and in great distress.

[redacted] These are all matters on which the Department has to bestow its attention and arrive at a decision and so long as such consideration is there, the conclusion arrived at as a result thereof, is not open to the judicial review, unless it is established that the matter has not been considered in proper perspective and the decision arrived at is arbitrary. So, with this background, the case of the applicant has got to be decided.

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6. Counter is filed by the respondents opposing the OA.

7. Sri K.S.R. Anjaneyulu, counsel for the applicant and Sri V. Rejeswara Rao counsel appearing on behalf of Sri N V Ramana, Addl.CGSC for the respondents are heard.

8. In the counter filed by the respondents, it is maintained that the father of the applicant, Sri M.Venkataramana was provided with the following benefits at the time of retirement.

1. Monthly Pension of Rs. 435/- plus DA

2. Death-cum-Retirement Rs.13,625/- gratuity

3. CGES Rs. 1,458/-

The family of the said Sri Venkataramana consists of his wife, one son and two daughters. His son is working in Indian Army as Lance Naik.

9. In view of the retirement benefits which the father of the applicant has received and the pension and DA, the father of the applicant is receiving as the brother of the applicant is also employed in the Indian Army as Lance Naik, and as the elder sister of the applicant Kum M.V. Padmavathi has studied upto B.Sc and finally the applicant herself as having passed inter, it is rather difficult to say

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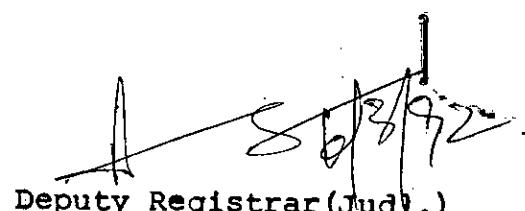
that the family of the applicant is ~~is~~ indigent and in great distress warranting the appointment of the applicant on compassionate grounds. it is not open for this Tribunal to sit in judgement over the decision of the Circle Selection Committee in rejecting the case of the applicant for appointment on compassionate grounds, as the decision is in noway arbitrary.

10. In view of the above, we see no merits in this OA and this OA is liable to be dismissed and is accordingly dismissed. In the circumstances of the case, the parties are directed to bear their own costs.

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(T.CHANDRASEKHARA REDDY
Member (Judicial))

Dated: 26th February, 1992



S. B. S. Reddy
Deputy Registrar (Judi.)

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Copy to:-

1. The Secretary to Government, ^{Union of India,} Department of Posts, New Delhi.
 2. The Chief Post Master General, Hyderabad.
 3. The Postmaster General, Kurnool.
 4. The Senior Superintendent of Post Offices, Chittoor.
 5. One copy to Sri K.S.R.Anjaneyulu, advocate, CAT, Hyd.
 6. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
 7. One spare copy.

Rsm/-

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O.A. 552/90

TYPED BY
S/checked by 6/3/92

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V.C.

THE HON'BLE MR. R. BALASUBRAMANIAN, M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
M(JUDL)

AND

THE HON'BLE MR. C.J. ROY : MEMBER(JUDL)

DATED: 26/2/1992

ORDER/JUDGMENT: ✓

R.A/C.A/ M.A.N.

in

552/90

O.A.No.

T.A.No.

(W.P.No.)

Admitted and interim directions
issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to posts.

