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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH

AT HYDERABAD

ORIGINAL APPLICATION NO.598/90

DATE OF JUDGEMENT 24/3 MARCH, 1992

BETWEEN

Sri D. Venugopal

.. Applicant

A N D

1. The Secretary to Govt.,  
Department of Posts,  
New Delhi.

2. The Chief Post Master General  
Hyderabad

3. The Post Master General, Kurnool

4. The Sr.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.)

T. Chandrasekhara Reddy

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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 by the applicant herein, under Section 19 of the Administrative Tribunals Act, to direct the respondents to consider and appoint the applicant on compassionate grounds to mitigate hardship to the family.

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

1. One Sri T. Deenadayalan, who was working as Postal Assistant in the Kuppam Post office died on 15.9.1985 while he was in service. As could be seen from Annexure 3 to the OA the said Sri Deenadayalan is said to have died on 15.9.1985 following a brutal attack by a goonda from at Kuppam. But neither from the application filed by the applicant, nor from the counter filed by the respondents we are not made known the way and manner of the death and also reasons that led to his death. of the said Sri Deenadayalan. The said Sri Deenadayalan had left behind his wife, the applicant herein who is the only son and two un-married daughters.

2. An application was made by the widow of the said Sri Deenadayalan, to appoint the applicant herein on compassionate grounds in relaxation of normal recruitment rules. The applicant herein, Sri D. Venugopal, had passed intermediate in April, 1986. The representations of the mother of the applicant to the competent authority was negatived by the competent authorities and hence, the present OA is filed by the applicant herein for the relief already indicated above.

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3. Counter is filed by the respondents opposing this OA.

4. In the <sup>said</sup> counter, it is maintained that the mother of the applicant is in receipt of a monthly pension of Rs.470/- plus reliefs <sup>there on</sup> and she was provided with the following monetary benefits consequent to the death of the said Sri Deenadayalan.

DCRG	Rs.15,822/-
GPF	Rs.14,726/-
PLI	Rs. 8,292/-
CGE/IS	Rs.20,760/-
DRF	Rs.10,000/-

It is significant to note that in the counter filed by the respondents, it is ~~pleaded~~ stated that the marriage of one daughter was performed from the pensionary benefits of the deceased employee.

5. <sup>From</sup> the counter filed by the respondents it is not known whether the family of the deceased employee ~~w~~ owns any movable/immovable properties.

Hence, to consider whether the family of the deceased employee is in indigent circumstances, it is very <sup>much</sup> necessary in the peculiar facts and circumstances of this case, to ascertain whether the family of the deceased is owning any movable/immovable property.

T. C. A. f

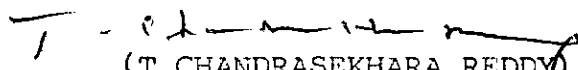
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6. With the material available with us, we are not in a position to decide whether the family of the deceased employee is in indigent circumstances. So, we see no other alternative except to remit back the matter to the competent authority to make enquiries afresh and ascertain whether the family of the deceased owns and possesses any movable/immovable property and taken necessary action in the matter of compassionate appointment as is open to them under law.

7. In the result, we allow this OA and remit the matter back to the respondents to consider the case of the applicant afresh in accordance with law for appointment on compassionate grounds, after making necessary enquiries about the movable/immovable property owned by the family of the deceased employee and if the competent authority is satisfied that the family of the deceased deserves appointment on compassionate grounds. In the circumstances of the case, the parties are directed to bear their own costs.

  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

Dated: 24 March, 1992  Dy. Registrar

- To
1. The Secretary to Govt., Dept., of Posts, New Delhi.
  2. The Chief Post Master General, Hyderabad.
  3. The Post Master General, Kurnool.
  4. The Sr. Superintendent of Post Offices, Chittoor.
  5. One copy to Mr. K. S. R. Anjaneyulu, Advocate, CAT. Hyd.
  6. One copy to Mr. N. V. Ramana, Addl. CGSC, CAT. Hyd.
  7. One spare copy.

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TYPED BY

COMPARED BY

CHECKED BY *ewg*

APPROVED BY

THE HON'BLE MR.

V.C.

AND

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

AND

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

AND

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

Dated: 24-3-1992.

ORDER / JUDGMENT

R.A./C.A./M.A. No.

in

O.A. No. 598/90

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 costs.

Central Administrative Tribunal  
DESPATCH  
11/11/1992  
HYDERABAD BENCH.

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