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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

C.A.No. 489/91

Date of Order: 9.9.1992

BETWEEN:

K.Murali Krishna

.. Applicant.

A N D

1. The General Manager,
Telecommunications,
Andhra pradesh Circle,
Hyderabad.

2. The Engineer, Telecom District,
Vizianagaram.

.. Respondents.

Counsel for the Applicant

.. Mr.Nori for

Mr.Y.Suryanarayana

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

(Order of the Single Member Bench delivered by

Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).

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This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to appoint the applicant in any suitable post on compassionate grounds and pass such other order or orders as may deem fit and proper in the circumstances of the case.

The facts giving rise to this OA in brief are as follows:

2. The father of the applicant is one Sri K.Gangaraju. He was working as S.I.Teachers in the year 1970. While so on medical invalidation grounds, the applicant's father Sri K.Gangaraju was retired from service w.e.f. 21.7.1970. According to the applicant number of representations were made to the respondents by the mother of the applicant to appoint the applicant in any suitable post on compassionate grounds. As per proceedings dated 11-6-1990, the applicant was informed that the request to provide an appointment on compassionate grounds to him had been rejected. Hence the present OA for the relief as already indicated above.

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

4. Mr.Meharchand Nori for Mr.Y.Suryanarayana, Advocate for the applicant and Mr.N.R.Devraj, Standing Counsel for the respondents are present. Heard both sides.

5. From the counter of the respondents it becomes amply evident that the applicant herein is the fifth son of the said Sri K.Gangaraju. The details of the employment of all the other four sons are pleaded in the counter. In the counter it is stated that K.Appala Raju, first son is aged 46 years and working as Cable Splicer and drawing monthly

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Copy to:-

1. The General Manager, Telecommunications, A.P.Circle, Hyderabad.
2. The Engineer, Telecom District, Vizianagaram.
3. One copy to Sri. N. Y. Suryanarayana, advocate, 40 MIGH, Housing Board Colony, Mehdipatnam, Hyd-28.
4. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
5. One spare copy.

Wazir Khan
Rsm/-

salary Rs.2,103/- and that he is living separately. The second son is said to be one K.Suryanayana, aged 41 years and is said to be a Tailor. The third son is K.V.Ramana, aged 33 years and is said to be working as a Group D official in the Department, and drawing salary Rs.1,219/- and living separately. The 4th son Eswara Rao, aged 31 years and employed as Regular Mazdoor in the Department, and drawing salary Rs.1,203/- and living separately. As could be seen, out of the 5 sons, 3 sons are in Government service and where as ^{the} other son (second son) is said to be a Tailor and that their mother is also living with him. It is needless to point out that Tailors profession in these days is very lucrative. Except the applicant, as all the other 4 sons are earning, it is very difficult to say that the family of the said Sri K.Gangaraju is in distress or indigent circumstances as requiring an appointment on compassionate grounds. Admittedly the said Sri Gangaraju retired on medical invalidation grounds on 21.7.1970. The family had been able to get on for all these 20 years. If the family had been indigent circumstances we do not think that the family would have been able to get on for all these 20 years. The competent authority had come to the opinion that this is not a fit case to provide an appointment on compassionate grounds. It is not open for us in view of the facts and circumstances of the case to set in appeal over the opinion of the competent authority which opinion according to us is valid. Hence we see no merits in this OA and this OA is liable to be dismissed and is accordingly dismissed, leaving the parties to bear their own costs.

T. Chandrasekara Reddy
(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 9th September, 1992

(Dictated in the Open Court)

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By Registration (JULY 1992)

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