

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.830/91

Date of order: 15.12.1992

BETWEEN:

Smt.M.Meenakshi

.. Applicant.

A N D

1. The Sr. Superintendent of
Post Offices, Chittoor
Division, Mittoor,
Chittoor.

2. The Chief Post Master General,
Andhra Pradesh, Hyderabad.

3. Government of India, rep. by
its Secretary, Dept. of Posts,
Dak Bhavan, New Delhi.

.. Respondents.

Counsel for the Applicant

.. Mr.G.Gopala Rao

Counsel for the Respondents

.. Mr. N.V.Raghava Reddy

CORAM:

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

--- *T.C. Reddy*

Order of the Single Member Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member (Jud1.).

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 in Class IV service ⁱⁿ ~~the~~ Postal Department of Government of India on compassionate grounds with all consequential benefits and to 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 applicant's husband is one M.Krishna Murthy. He had put in 27½ years of service in the Postal Department, Chittoor Division. while working as Jamedar Group-D official of Chittoor Head quarters, the said Krishna Murthy died on 26.2.1990. After the death of the said Krishna Murthy, the applicant was paid a sum of Rs.90,087/- towards terminal benefits. The applicant is also being paid a regular family pension ~~px~~ of Rs.676/- per month including the relief on pension. The ^{— k. b. n. s. j. u. n. d. —} applicant had put in a representation on 16.4.1990 to provide her an appointment on compassionate grounds. The respondents have rejected her representation and had refused to appoint the applicant in any suitable post on compassionate grounds. Hence, the present O.A. is filed by the applicant for the relief as already indicated above.

3. Counter is filed by the respondents opposing this O.A.

4. This O.A. was listed for hearing on 14.12.1992. On 14.12.1992 none were present on behalf of the applicant.

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There was no representation on behalf of the applicant.

Mr. N.V.Raghava Reddy, Standing Counsel for the respondents was present and reported ready. So, the O.A. was ordered for dismissal for today (15.12.1992). Today also the position is the same as on 14.12.1992. There was no representation on behalf of the applicant. So as the applicant was not evincing any interest in this O.A., we thought it fit to hear the Standing Counsel for the respondents and accordingly Mr. N.V.Raghava Reddy, is heard. We have also perused the material in this O.A. We proceed to dispose of this O.A. with the material available before this Tribunal.

5. The fact that the applicant is the wife of Krishna Murthy who was working as Jamedar in the Chittoor head quarters in the office of the Superintendent of Post Offices in the year 1990 is not in dispute in this O.A. It is also not in dispute in this O.A. that the applicant's husband died on 26.2.1990 while in service after he had put in 27½ years of service. It is also an admitted fact that the applicant is not blessed with any children through the said Krishna Murthy. So, the applicant appears to be the sole dependant on the said Krishna Murthy. After the death of the said Krishna Murthy, the fact that the respondents had paid the applicant a sum of Rs. 90,087/- towards terminal benefits is also not in dispute in this O.A. Besides ~~this~~ the fact that the applicant is receiving monthly pension of Rs. 676/- including the relief on pension is not in dispute in this O.A. In view of the fact that the applicant had been paid more than 90,000 as terminal benefits and as she is receiving Rs. 676/- towards monthly pension, it cannot be said that the applicant is in distress or indigent circumstances warranting an appointment on compassionate grounds. ~~While~~ the monthly pension of Rs. 676/-

To

1. The Sr. Superintendent of Post Offices,
Chittoor Division, Mittoor, Chittoor Dist.
2. The Chief Post Master General,
Andhra Pradesh, Hyderabad.
3. The Secretary, Govt. of India,
Dept. of Posts, Dak Sadan, New Delhi.
4. One copy to Mr. G. Gopala Rao, Advocate, 16-10-27/105/8
Municipal Colony, Malakpet, Hyd.
5. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
6. One spare copy.

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~~she~~ is receiving ~~10~~ and the terminal benefits of Rs.90,087/- which she had received after the death of her husband, it is quite possible for the applicant to have a descent living. So, in view of the facts and circumstances of the case, we are of the opinion that this is not a fit matter to provide an appointment to the applicant on compassionate grounds.

6. No doubt, in the O.A. it is pleaded that the sum of Rs.90,087/- which ~~she~~ is received as terminal benefits had been spent towards discharge of the debts incurred towards the medical expenses of the said Krishna Murthy. There is no material before the Tribunal that the Krishna Murthy was suffering from any disease and as such it became necessary to spend any amount towards the medical expenses on Krishna Murthy. Details with regard to the debts that had been incurred are not at all pleaded in the O.A. and no material is placed before the Tribunal to show that debts were incurred for the medical expenses of the said Krishna Murthy. In view of this position no credence can be given to the plea that the major portion of the amount of Rs.90,087 had gone towards the discharge of the debts of the said Krishna Murthy. As already pointed out this is not a fit case to provide an appointment to the applicant on compassionate grounds. We see no merits in this O.A. and this O.A. is dismissed, leaving the parties to bear their own costs.

T. Chandrasekara ~~Konar~~
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated : 15th December, 1992

(Dictated in Open Court)

sd

8/12/92
Deputy Registrar (J)

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CHECKED BY

APPROVED BY

HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR.

V.C.

AND

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

AND

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

AND

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

Dated: 15-12-1992

ORDER/JUDGMENT:

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

in

O.A. No. 830/91

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.

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