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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.867/92.

Date of Judgement 16th Oct 1992.

Smt. R.Ramalaxmi

.. Applicant

Vs.

1. The Chief Postmaster-General,
A.P.Circle, Hyderabad.
2. The Sr. Supdt. of Post Offices,
Hyderabad City Division,
Hyderabad-500001.
3. The Estate Officer,
O/o the Chief Postmaster-General,
A.P.Circle, Hyderabad. .. Respondents.

Counsel for the Applicant : Shri K.Sudhakar Reddy

Counsel for the Respondents : Shri N.R.Devaraj, Sr. CGSC

CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri C.J.Roy : Member(J)

[Judgement as per Hon'ble Shri R.Balasubramanian, Member(A)]

This application filed by Smt. R.Ramalaxmi against the Chief Postmaster-General, A.P.Circle, Hyderabad & 2 others under section 19 of the Administrative Tribunals Act, 1985 prays for a direction to the respondents to issue appointment orders in Group 'D' on compassionate grounds pursuant to the letter No.RE/1-26/81/90 dt. 13.11.91.

2. Subsequent to the death of the applicant's husband on 21.12.89, the Postmaster-General has issued the letter dt.13.11.91 which is addressed to the Sr. Supdt. of Post Offices, Hyderabad South East Division, Hyderabad. In this letter addressed to the Sr. Supdt. of Post Offices, Hyderabad South East Division with a copy to the Sr. Supdt. of Post Offices, Hyderabad City Division the decision of the Postmaster-General to appoint the applicant as a special case on compassionate grounds

has been conveyed. However, certain formalities have to be observed. The Sr. Supdt. of Post Offices, Hyderabad South East Division was also required to be informed ^{the applicant} of the decision and ^{to take} further action taken for her appointment after observing the formalities like verifying the original educational qualifications etc. The Sr. Supdt. of Post Offices was also required to intimate the date of appointment to the Postmaster-General. Not getting the appointment, the applicant has approached this Tribunal with this O.A.

3. There is no counter affidavit filed in this case. However, on a different subject viz: eviction from the quarter, an interim order was given directing the respondents to maintain statusquo in respect of occupation of quarter till the disposal of this O.A.


4. We have examined the case and heard S/Shri K. Sudhakar Reddy and N.R. Devaraj for the rival sides. The actual position regarding completion of formalities is not made known to the Bench. Under these circumstances, we refrain from giving any specific direction on this score. However, since the competent authority has already taken a decision to offer compassionate appointment and also directed the subordinate officers to take necessary action, it is our fond hope that the action on this front would materialise soon.

5. As regards the quarter, we are told clearly that the applicant is not entitled to the type of quarter which was allotted to her deceased husband and which she is continuing to occupy since 1989. It is also alleged by the respondent that she is not paying rent in accordance with the rules. The question of allotment of a quarter to her does not arise at this stage since she has not been appointed even to the level of Group-D. The respondents are well within their right to evict her according to the rules. However, taking into account the circumstances in which she is placed, we direct

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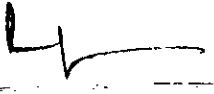
the respondents to permit her to occupy the quarter till the end of January, 1993 provided she pays the rent in accordance with the rules of the Department. Either for non-payment of rent as per rules or after January, 1993, ^{whichever is earlier,} the respondents are at liberty to evict her even if she is in the meantime given appointment in the post of Group-D.

6. With the above directions the application is disposed of with no order as to costs.


(R. Balasubramanian)
Member (A).


(C. J. Roy)
Member (J).

Dated: 16th October, 1992.


Deputy Registrar (Judl.)
18/10/92

Copy to:-

1. The Chief Postmaster-General, A.P. Circle, Hyderabad.
2. The Sr. Supdt. of Post Offices, Hyderabad City Division, Hyderabad-001.
3. The Estate Officer, O/O the Chief Postmaster General, A.P. Circle, Hyderabad.
4. One copy to Sri. K. Sudhakar Reddy, advocate, CAT, Hyd.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One spare copy.

Rsm/-

perp
O.A. 867/92
(3)
TYPED BY RM COMPARED BY
CHECKED BY 13/11 APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

THE HON'BLE MR
AND

THE HON'BLE MR. R. RATASUBRAMANIAM
AND

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

AND

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

Dated: 16/10/1992

ORDER/JUDGMENT:

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

in

O.A. No. 867/92

T.A. No.

(wp. No)

Admitted and interim directions
issued.

Allowed

Disposed of with

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No orders as to costs.

pvm

