

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.684/92

Date of Order: 11.3.1993

BETWEEN :

T.Ramakrishna

.. Applicant.

AND

1. Chief Postmaster General,  
Andhra Pradesh, Opp. G.P.O.,  
Abids, Hyderabad.
2. The Supdt. of Post Offices,  
Narasaraopet Division,  
Narasaraopet, Guntur District.

.. Respondents.

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Counsel for the Applicant

.. Mr. Prabhakar Rao

Counsel for the Respondents

.. Mr. N.V.Kamana

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CORAM:

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

T.C.R

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

31

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This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to provide the applicant any post under compassionate grounds 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 O.A. in brief are as follows:-

2. One T.Mallaiah while working as Sub Post Master ~~was~~ died on 8.11.1982. At the time of his death Postal employees (Mallaiah) left behind him his ~~was~~ widow, 2 sons (including the applicant herein) and 2 married daughters. The said Mallaiah but for his death would have retired on superannuation on 30.6.1992. This applicant was said to be aged 14 years at the time of the death of Mallaiah, his father. The widow of the deceased employee was paid D.C.R.E. a sum of Rs.7,825.25, G.P.F. - Rs.5,160/-, P.O.I. - Rs.4,632/-, C.G.E.I.S. Rs.20,158/- and Rs.3,792.25 towards Encashment of Leave, in all a sum of Rs.41,567.50. Excluding relief on pension, the widow of the deceased employee is also paid monthly a sum of Rs.375/- towards pension. The family of the applicant owns 90 cents of dry land. According to the applicant the said land is useless and does not yield any income.

3. The applicant after passing Intermediate examination put in an application on 18.8.1987 to the respondents to provide him an appointment on compassionate grounds. The Circle Selection Committee after considering the case of the applicant refused to provide appointment on compassionate

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grounds. So, the present O.A. is filed by the applicant for the relief as indicated above.

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

5. Today we have heard Mr. M. Prabhakar Rao, Advocate for the applicant and Mr. N. V. Ramana, Standing Counsel for the respondents.

6. Mr. Prabhakar Rao, counsel for the applicant vehemently contended that the family of the deceased employee is in distress and indigent circumstances and that the family is suffering from poverty and unless an appointment is provided to the applicant who is the son of the deceased employee that the family of the deceased will not be able to survive. On the otherhand Mr. N. V. Ramana, Standing Counsel for the respondents contended that in view of the retirement benefits and the pension which the widow is getting that the family cannot be said to be in distress and indigent circumstances. He also further maintained that the respondents as a matter of fact offered to the applicant the post of Post Man in the year 1989 and that the applicant had refused the said post as per his letter dt. 14.3.1989 addressee to the Superintendent of Post Offices, Narsaraopet and the refusal of the said post by the applicant would itself indicate that the family of the applicant is not in distress and indigent circumstances. It is also his argument if the family was in indigent and distress circumstances the applicant would not have refused the post of Post Man which post carries a basic pay of Rs.825/- with all allowances. We have perused the letter of the applicant dt. 14.3.1989 which is placed before us. The learned counsel for the applicant Mr. Prabhakar Rao also went through the said

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33

letter of the applicant where the applicant had expressed that he is not willing to work as Post Man. The prayer of the applicant is to provide him any post on compassionate grounds. As seen the respondents had offered to the applicant the post of Post Man and for reasons best known to the applicant, the applicant had not given his willingness to work as Post Man. So, as the applicant himself had refused the post of Post Man which was offered to him by the respondents on compassionate grounds it is not open now for the applicant to claim any appointment on compassionate grounds. We see no merits in this O.A. Hence this O.A. is liable to be dismissed and accordingly dismissed ~~xxxxxx~~ leaving the parties to bear their own costs.

T - Chandrasekhara Reddy  
(T. CHANDRASEKHARA REDDI,  
Member (Judl.))

Dated: 11th March, 1993 D.Y. Registrar (J) *3/3/93*

(Dictated in Open Court)

Copy to:-

1. Chief Postmaster General, Andhra Pradesh, Opp.GPO, Abids, Hyderabad.
- sd2. The Supdt., of Post Offices, Narasaraopet Division, Narasaraopet, Guntur District.
3. One copy to Sri. Prabhakar Rao, advocate, 5-9-22/26, Adarshnagar, Hyd.
4. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
5. One copy Deputy Registrar (Judl.), CAT, Hyd.
6. One spare copy.

Rsm/-

*Richard John*  
21/3/93

O.A. 684/92

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND

THE HON'BLE MR. K. BALASUBRAMANIAN :  
MEMBER (ADMN)

AND

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

DATED: 11/3/ -1993

ORDER/JUDGMENT

R.P. / C.P./M.A.NO.

*684/92*

O.A.No.

T.A.No.

(W.F.No)

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions  
Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

