

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1023/92

Date of Order: 7.4.1993

BETWEEN:

B.Atchuta Rao

.. Applicant.

A N D

1. Central Provident Fund Commissioner,
New Delhi.

2. Regional Provident Fund Commissioner,
Marripalem, VUDA Layout, NAD Post,
Visakhapatnam.

3. Regional Provident Fund Commissioner,
Barkatpura, Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mr.P.B.Vijaya Kumar

Counsel for the Respondents

.. Mr.Vilas V.Afzalpurkar

CORAM:

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

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

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

The applicant's father is one B.A.Ramulu, while working as Attender in the office of the second respondent the said Ramulu died on 23.1.1990. ^{is the 3rd son of the deceased employer} The applicant who made a representation to the competent authority on 6.2.1990 with a request to provide ^{him} an appointment on compassionate grounds

The said representation was followed by some other representations. By the orders dt. 30.5.1991 the representation of the applicant seeking appointment on compassionate grounds was rejected. The applicant again seems to have put in a representation on 17.8.1992 to the competent authority for redressal of his grievance pending the representation dt. 17.8.1992, the present O.A. is filed by the applicant for the relief as already indicated above.

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

We have heard Mr.P.B.Vijay Kumar, Advocate for the applicant and Mr.Vilas V. Afzulpurkar, Standing Counsel for the respondents.

It is not in dispute that the said B.A.Ramulu at the time of his death on 23.1.1990 left behind his wife Smt.Pydamma aged 40 years, sons B.Thrinadhan, Padmanadham, and Achyutha Rao aged 35 years, 26 years and 20 years respectively

T. C. S.

To

1. The Central Provident Fund Commissioner, New Delhi.
2. The Regional Provident Fund Commissioner, Marripalem,
VUDA Layout, NAD Post, Visakhapatnam.
3. The Regional Provident Fund Commissioner, Barkatpura, Hyd.
4. One copy to Mr.P.B.Vijayakumar, Advocate, 1-9-312/6/A&B
Vidyanagar, Hyd.
5. One copy to Mr.Vilas V.Afzalpurkar, SC for P.F.CAT.Hyd.
6. One copy to ~~M~~library, CAT.Hyd.
7. One sparecopy.

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[Signature]

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and a daughter Kum.B.Vidya Goury aged 17 years. It is also not in dispute that the first son B.Thrinadhan of the seceased employee is working as U.D.C. in Bharat Heavy Plates and Vessels Ltd., Visakhapatnam and drawing a salary more than Rs.2200/-. It is also not in dispute that the second son B.Padmanabham is serving with Training Battalion - I in Bombay Engineering Group & Centre, Kirkee, Pune and is drawing salary morethan Rs.4200/-. It is also not in dispute that after the death of the said B.A.Ramulu his widow Smt.Pydamma had been paid death-cum-retirement benefits amounting to morethan Rs.21,000/- and that she is receiving monthly pension of Rs.477/- together with relief thereon. As the two of the sons of the deceased employee are employed and are in good positions and as the widow of the employee is paid death-cum-retirement benefits and is also receiving monthly pension as afore-said, it is very difficult to say that the family is in distress and indigent circumstances. We don't see the family in such indigent circumstances as to require an appointment to the applicant on compassionate grounds. So, the action of the respondents in rejecting the representation of the applicant to provide an appointment on compassionate grounds under the circumstances of the ~~applicant~~ case is valid. We see no merits in this O.A. and hence this O.A. is rejected. As we have rejected this O.A. on merits the M.A.1260/92 filed to condone delay of 6 months 3 days in filing this O.A. stands rejected.

The parties shall bear their own costs.

T. Ch. Chandrasekhara Reddy
(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 7th April, 1993

(Dictated in Open Court)

8/3/93
Deputy Registrar (J).

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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 (ALMN)

AND

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

DATED: 7-4-1993

~~ORDER~~/JUDGMENT

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

in

O.A.No. 1023/92.

T.A.No. (W.P.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.

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