

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNALS ACT : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.437/92

Date of Order: 24.8.1992

BETWEEN :

Ch.Kanaka Rao

.. Applicant.

A N D

1. The Secretary to Govt. of India  
Ministry of Defence (Naval Wing),  
New Delhi - 110 001.

2. The Chief of the Naval Staff,  
Naval Head Quarters,  
New Delhi - 110 001.

3. The Flag Officer Commanding-in- Chief,  
Eastern Naval Command,  
Visakhapatnam.

4. The General Manager,  
Naval Armament Dept.,  
Visakhapatnam - 530 009.

.. Respondents.

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Counsel for the Applicant

.. Mr. M.P.Chandra Mouli

Counsel for the Respondents

.. Mr. M.JaganMohan Reddy

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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.) ).

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This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to provide an appointment to the applicant on compassionate grounds.

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

2. The father of the applicant was working as Crane Driver in the Naval Armament Dept., Visakhapatnam. He retired on medical invalidation grounds on 31.5.1978 after putting 30 years of service. The name of the father of the applicant is Ch. Simhachalam. The applicant's father Simhachalam expired on 15.1.1979. At the time of the death of the said Simhachalam, <sup>he</sup> left behind him his wife Smt Narasamma aged 60 years, son Raminaidu aged 40 years, another son Appa Rao 38 years, ~~and~~ married daughter 34 years, and other two sons Kanaka Rao and Venkata Rao who were said to be minors. The present application is filed by the said Kanaka Rao for the relief as already indicated above.

3. Mr. M.P. Chandramouli, Advocate for the applicant and ~~Mr.~~ Mr. M. Jagan Mohan Reddy, Standing counsel for the respondents are present. Heard both sides.

4. <sup>Appended to the G-A</sup> The Annexures 6 and 7 would go to show that the eldest two sons of the said Simhachalam who are Raminaidu and Appa Rao are already in Government service. Naturally the wife of the said Simhachalam who is said to be aged about 60 years should be getting pension and relief thereon. As ~~the~~ two sons of the said Simhachalam are already in Government service and as the widow of the Simhachalam should be getting pension, It is very difficult to say that the family of

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the said Simhachalam is in distress or indigent circumstances. It is only ~~an~~ exceptional case that an appointment on compassionate grounds is provided to the family of the Govt. servant who retires on medical invalidation grounds. In view of the facts of this case we do not find any such circumstances. Hence we are of the opinion that this is not a fit matter for adjudication and hence this OA is rejected under the provisions of 19(3) Administrative Tribunals Act summarily. The parties shall bear their own costs.

T. Chandrasekhar Reddy  
(T.CHANDRASEKHARA REDDY)  
Member (Jud1.)

Dated : 24th August, 1992

(Dictated in the Open Court)

84/97/2  
Deputy Registrar (J)

To

1. The Secretary to Govt. of India, Ministry of Defence (Naval Wing) New Delhi-1.
2. The Chief of the Naval Staff, Naval Head Quarters, New Delhi-1.
3. The Flag Officer, Commanding-in-Chief, Eastern Naval Command, Visakhapatnam.
4. The General Manager, Naval Armament Dept. visakhapatnam-9
5. One copy to Mr.M.P.Chandra Mouli, Advocate, 1-7-139/4, S.R.K.Nagar, Hyderabad
6. One copy to Mr.Jaganmohan Reddy.M. Addl.CGSC.CAT.Hyd.
7. One spare copy.

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COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH

THE HON'BLE MR.

AND

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

AND

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

AND

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

Dated: 24 - 8 - 1992

ORDER / JUDGMENT

R.A. / G.A. / M.A. NO

O.A. No.

in  
437/92

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 orders as to costs.

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