

(20)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.127/93

Date of Order: 17.2.1993

BETWEEN :

Nazeer Hussain

.. Applicant.

A N D

1. Sub Divisional Inspector of Post Offices, Kamarreddy Nizambad District.
2. Senior Superintendent of Post Offices, Nizambad Division, Nizambad.
3. Post Master General, Andhra Pradesh Circle, Hyderabad.

.. Respondents.

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Counsel for the Applicant

.. Mr. V. Venkataraman

Counsel for the Respondents

.. Mr. N. R. Devraj

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CORAM:

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

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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 appoint the applicant as Extra Departmental Delivery Agent of Lingampet Sub Post Office, Nizambad District pursuant to the notification dt.22.9.1992.

The facts giving rise to this O.A. in brief are as follows:-

The father of the applicant was one late Mohd. Hussain was working as Branch Post Master Korpoly Village of Lingampet Mandal, Nizambad District, Andhra Pradesh. The said Mohd. Hussain died on 12.3.1987 while in service. The applicant is said to be the only son of the said Mohd. Hussain. The applicant submitted an application dated 13.3.1987 to the Second respondent requesting him to appoint as Branch Post Master of Korpoly Village on compassionate grounds. Pending the said application dated 13.3.1987 to appoint the applicant on compassionate grounds, the applicant was temporarily appointed as Extra Departmental Branch Post Master, Korpoly Village by order dated 26.3.1987. The applicant worked for some time. On 8.2.1988 the applicant was removed from service on the ground that the applicant was not a permanent resident of Korpoly village, but he is a permanent resident of Lingampet village. The applicant has again submitted a representation dt. 15.2.1988 to the 3rd respondent for his appointment as Branch Post Master Korpoly village. As per proceedings dated 17.8.1988 the applicant had been informed by the Office of the Post Master General, A.P.Circle, Hyderabad as regards compassionate appointment in Extra Departmental cadre that the Directorate's instructions provide such an appointment to the dependent of ED official

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who died while in service and that the SSP (1st respondent) had been directed to check up the financial and other aspects of the family of late BPM to take action on merits to provide him in any suitable vacancy.

3. The applicant seems to have put in another representation dated 2.11.1992 requesting the respondents to provide him an appointment on compassionate ~~exp~~ grounds. To the said representation dated 2.11.1992 on 16.11.1992 the Senior Superintendent of Post Offices, Nizambad Division had informed the applicant that the matter was being looked into. It is the grievance of the applicant even though the matter is pending right from the year 1988 with regard to his appointment on compassionate ground, that he had not been considered by the respondents to appoint him on compassionate grounds. The present O.A. is filed by the applicant for a direction to the respondents to consider him for appointment on compassionate grounds, to the post of Extra Departmental Delivery Agent of Lingampet Sub Post Office. As a matter of fact a notification on 22.9.1992 had been made inviting applications to fill up the said post of Extra Departmental Delivery Agent of Lingampet and the applicant herein seems to be one of the candidates that had applied for the said vacancy. It is the contention of the applicant that he is liable to be considered for appointment to the said vacancy on compassionate grounds.

4. We have heard Mr.V.Venkataranama, Advocate for the applicant and Mr.N.K.Devraj, Standing Counsel for the respondents.

5. On the representations of the applicant dated 13.3.1987, 10.5.1988 and 2.11.1992 final orders had not been passed yet by the respondents. So, in view of this position we are of the opinion that it would be fit and proper to dispose of this O.A. by giving appropriate directions to the respondents.

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6. Hence, we direct thee respondents to pass final Orders on the representations of the applicant dated 13.3.1987, 10.5.1988 and 2.11.1992 with regard to the applicant's appointment on compassionate grounds within a week from the date of the communication of this order. Further, after hearing both sides we direct the respondents to maintain status quo as on date with regard to the vacancy of Extra Departmental Delivery Agent of Lingampet Sub Post Office until final orders on the said representations of the applicant are passed. The applicant would be at liberty to approach this Tribunal in accordance with law after the said final orders ~~and~~ passed by the respondents, if he continues to be aggrieved.

Communicate the operative part of this order to the First respondent by wire at the expense of the applicant.

The parties are to bear their own costs.

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

Dated: 17th February, 1993

(Dictated in Open Court)

8/3/93  
Deputy Registrar (J)

To

1. The Sub Divisional Inspector of Post Offices, Kamareddy, Nizamabad Dist.
2. The Senior Superintendent of Post Offices, Nizamabad Division, Nizamabad.
3. The Postmaster General, A.P.Circle, Hyderabad.
4. One copy to Mr.V.Venkataranama, Advocate 62/2RT Saidabad colony, Hyderabad.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One spare copy.

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TYPED BY *V.S.D.* COMPARED BY

CHECKED BY APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY : MEMBER (J)

AND

THE HON'BLE MR.

DATED: 17-2-1993

ORDER/JUDGMENT:

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

in

C.A. No. 127/93

T.A. No.

(W.P. No.)

Admitted and Interim directions issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed

Dismissed for default

Rejected/Ordered

No order as to costs. DESPATCH

8 MAR 1993

HYDERABAD BENCH.

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