

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.415/93

Date of Order: 10.11.93

BETWEEN:

S. Zakeera Begum

.. Applicant.

A N D

1. ~~The~~ Telecom District Engineer,
Mahabubnagar,
Mahabubnagar District.

2. The Chief General Manager,
Telecommunications,
A.P.Circle, Abids,
Hyderabad-1.

.. Respondents.

Counsel for the Applicant

.. Mr. K.Satyanarayana

(Not present)

Counsel for the Respondents

.. Mr.N.V.Ramana

CORAM:

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

T. S. R.

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 in any suitable post on compassionate grounds and 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 B.Malleswar was working as Telecom Office Assistant in the office of the First Respondent. He died while in service on 27.2.1991 due to heart failure. The applicant herein is his wife. Through the applicant the deceased employee has a son by name Md.Zalaluddin aged about 5 years.

3. The applicant herein submitted a representation to the competent authority to appoint her in any suitable post on compassionate grounds. The First Respondent intimated the applicant that her case for appointment on compassionate grounds under relaxation of recruitment rules had been rejected by the Circle Selection Committee. Aggrieved by the action of the respondents rejecting her claim for appointment on compassionate grounds, the applicant has filed the present O.A. for the relief as already indicated above.

T. C. R.

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

5. This O.A. was listed for final hearing on 9.11.93. On 9.11.93 none were present on behalf of the applicant. There was no representation on behalf of the applicant. Standing Counsel for the respondents reports ready. So, this OA was ordered to be listed for dismissal on today (10.11.1993). Today also the position is the same as on 9.11.93. It is quite evident that the applicant is not evincing any interest in the matter. Mr. N.V. Ramana, Standing Counsel for the respondents present and heard and so we proceed to dispose of this OA on merits.

6. It is not in dispute that the applicant herein is the wife of B. Malleshwar who was working as Telecom Office Assistant in the Office of the First Respondent. It is also not in dispute that the applicant herein and the said Malleshwar are blessed with a son whose name is Md. Zalaluddin aged about 5 years. It is an admitted fact that the said Malleshwar died on 27.2.91 suddenly due to heart failure. It is the case of the applicant that her family is in distress and indigent circumstances and so she should be provided an appointment on compassionate grounds to overcome the difficulties of the family.

7. The family of the applicant consists only herself and her minor son Md. Zalaluddin. There are no other dependents on the applicant herein. So, in view of this background this OA has got to be decided.

8. In the counter filed by the respondents it is maintained that the applicant received an amount of Rs.43,800/-

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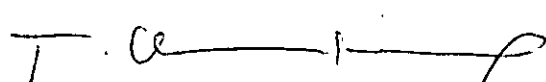
1. Telecom District Engineer, Mahabubnagar, Mahabubnagar Dist.
2. The Chief General Manager, Telecommunications, A.P. Circle, Abids, Hyd-1.
3. One copy to Sri. K. Satyanarayana, advocate, 17-2-366/c/1, near Arya samaj mandir, Hammaguda, Saidabad, Hyd-59.
4. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

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as death cum retirement gratuity and CGEGRS. It is also further submitted that the applicant is receiving monthly family pension of Rs.575/- plus D.A. relief as admissible from time to time. The pension which the applicant is receiving admittedly is more than Rs.1000/- per month. So, in view of the monthly pension of more than Rs.1000/- the applicant is receiving and bearing in mind the fact that the applicant had received an amount of Rs.43,800/- towards death cum retirement benefits, it is rather difficult to say that the applicant's family is in distress and indigent circumstances and that the family of the applicant will not be able to get on unless assistance is given to the family by way of compassionate appointment.

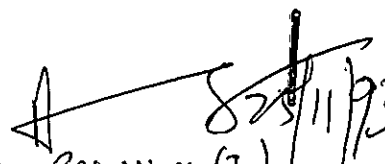
9. The Circle Selection Committee after taking into consideration the facts and circumstances of this case and also the case of others who are similarly placed like that of the applicant had come to the conclusion that there are more deserving cases than the applicant herein to provide appointment on compassionate grounds in the limited quota of vacancies that are available for compassionate appointments. So, in view of the facts and circumstances of the case it cannot be said that the opinion of the Circle Selection Committee in rejecting the claim of the applicant for compassionate appointment is not valid. So, we see no merits in this OA and hence this OA is ^{liable to} dismissed and accordingly dismissed. The parties shall bear their own costs.


(T.CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 10th November, 1993

(Dictated in Open Court)

sd


Dy. Registrar (J).

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O.A. 415/93

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

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

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER(A)

AND

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

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER(A)

Dated: 10/11/1993

ORDER/JUDGMENT:

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

O.A.No. in 415/93

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

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Rejected/Ordered.

No order as to costs.

Central Administrative Tribunal
DESPATCH
7 DEC 1993
FENCH