

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD  
---

O.A. No. 1440/93.

Dt. of Decision : 26-7-1994.

Sri. S. Damodara Rao

.. Applicant.

Vs

1. The Supdt. of Post Offices,  
Anantapur Divisions,  
Anantapur - 515 001.

2. The Post Master General, A.P.  
Southern Region, Kurnool-518 005.

.. Respondents.

Counsel for the Applicant : Mr. Krishna Devan

Counsel for the Respondents : Mr. N.V. Raghava Reddy,  
Addl. CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

3547  
Ade

20  
.. 2 ..

O.A.No.1440/93

{ As per Hon'ble Shri A.V.Haridasan, Member (Audl.). }

- - -

The applicant is aggrieved by the refusal on the part of the administration to exceed to his request for employment assistance on compassionate grounds convey to him by letter dt. 10.6.92 Annexure A-8. The applicant is the second son of Sri Dharmoji Rao who retired from the service of the Postal Department on invalid pension w.e.f. 31.11.87. After retirement Sri Dharmoji Rao died on 25.12.87, leaving behind the applicant, his mother and an elder brother. The elder brother who is already married is running a tea shop and living separately. The applicant who is working as ED Mail Carrier/Delivery Agent made a request for employment assistance on compassionate grounds in the department. It was <sup>this</sup> request that was rejected. The applicant has filed this application on the ground that the decision not to extend to him the benefit of compassionate appointment is unreasonable and unjustified.

2. The respondents contended that, as the applicant, is employed as an ED Agent, as as his brother is running a tea shop, the family cannot be considered to be under indigent circumstances and therefore the decision of the respondents is perfectly justified.

2nd  
102  
..3

: 4 :

Copy to:-

1. The Supdt. of Post Offices, Anantapur Divisions, Anantapur-001.
2. The Post Master General, A.P.Southern Region, Kurnool-005.
3. One copy to Sri. Krishna Devan, advocate, CAT, Hyd.
4. One copy to Sri. N.V.Raghava Reddy, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

*umpey*  
*for u/say*

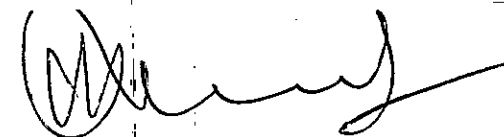
(21)

.. 3 ..

3. After perusing the pleadings of the case and hearing the counsel on other side we are convinced that the decision of the competent authority not to extend the benefit of compassionate appointment to the applicant cannot be considered unreasonable or unjust. First of all as the father of the applicant did not die while in harness but only after the retirement according to the dictum of the ruling of the Supreme Court in Auditor General of India Vs G. Anantha Rajeshwara Rao - 1994 SCC (L&S) 500. There is no scope for compassionate appointment in this case.

Further the applicant is already employed as an ED Mail Carrier/Delivery Agent. The other brother of the applicant is also another earning member. In addition to the family is getting a family pension and has also received the terminal benefits. Under these circumstances it cannot be considered that the family has been driven to extreme indigence or poverty deserving employment assistance on compassionate grounds. Therefore as we do not find any merit in this application the same is dismissed without any order as to

  
(R. RANGARAJAN)  
Member (Admn.)

  
(A.V. HARIDASAN)  
Member (Judl.)

( Dictated in Open Court )

sd

Amaze 5-894.  
DY. Registrar (J)

CM 12 - 41-

OA 144093

Typed by  
Checked by

Compared by  
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR. A. V. HARIDASAN: MEMBER (J)

AND

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

Dated: 26/7/94

ORDER/JUDGMENT.

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

O.A.NO.

<sup>in</sup>  
144093

I.A.NO.

(U.P.NO.)

Admitted and Interim Directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

