

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

D.A. No. 1557/93.

Dt. of Decision : 17.6.1994.

Mr. P. Sivanarayana

.. Applicant

vs

1. Union of India, rep. by its
Secretary, Department of posts,
New Delhi.

2. Chief Postmaster General,
A.P.Circle, Hyderabad.

3. Superintendent of Post Offices,
Anantapur - 515 001.

.. Respondents.

Counsel for the Applicant : Mr. S. Ramakrishna Rao

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

CORAM:

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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

..2

ZSHP

DA 1557/93.

Dt. of Decision:17-6-94.

(ORDER PASSED BY HON'BLE SHRI A.B.GORTHI,
MEMBER (A)).

* * *

The applicant having served in the Postal Department for about 33 years was retired on invalid pension on medical grounds with effect from 18-5-89. At that time he was 54 years old and was left with four years of service. He was sanctioned a monthly pension of Rs.567/- + relief after commutation. He requested the authorities concerned for giving appointment to his fourth son on compassionate grounds.

2. The Respondents in their reply affidavit have stated that the applicant was paid the following terminal benefits besides a monthly pension of Rs.850/- + Relief :-

1)DCRG	Rs.25,542-00
2)GPF	Rs. 781-00
3)CGIS	Rs. 1,916-00
4)Encashment of leave	Rs.16,402-00
5)Commutation of pension	Rs.37,696-00
TOTAL	Rs.82,337-00

The applicant owns a house and three of his children are employed. The request of the applicant for giving appointment for his 4th son on compassionate grounds was considered by the Circle Selection Committee on 22-2-90 but was rejected essentially on the ground that all the sons of

applicant are grown up and that three of them are employed.

3. Shri S.Ramakrishna Rao, learned counsel for the applicant urged that ^{it is} three sons who are employed are living separately and contributing nothing for the maintenance of the applicant's family. This aspect was even verified and found to be correct ^{by} the Respondents. He therefore contends that the request of the applicant should have been accepted by the Respondents.

4. When the question of granting compassionate appointment comes up for consideration, each individual case has to be examined on merits and also keeping in view the other and more deserving case if any. The quota for employment on compassionate ground is limited. It is therefore the bound ^{-duty} of the Respondents to consider ^{for} the cases of compassionate appointment with utmost caution ^{is} to see that this process ~~should~~ not be misused or abused. In the instant case we find that the applicant has five sons aged between 32 years and 25 years. They are all ^{all} grown up and three of them ~~were~~ already employed, though living separately. Keeping this in view and also the

terminal benefits granted to the applicant and the
monthly pension is in receipt of, we are of the considered view that the Respondents' decision not to accept the applicant's request for appointing his 4th son on compassionate grounds is reasonable.

5. In the result, we find no merit in the Original Application and the same is dismissed. No order as to costs.

T.C
(T.CHANDRASEKHAR REDDY)
Member (J)

Amal Gorthi
(A.B.GORTHI)
Member (A)

Dated: 17th June, 1994.
Dictated in Open Court.

av1/

Amal Gorthi
DEPUTY REGISTRAR (J) CC

Copy to:-

1. The Secretary, Department of Posts, Union of India, New Delhi.
2. The Chief Post Master General, A.P.Circle, Hyderabad.
3. The Superintendent of Post Offices, Ananthapur - 515 001.
4. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. V. Ramana, Addl. CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

YLKR

4th page
24/6/94

TIKED BY

COMPARED BY

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. A. B. G. RTHI : MEMBER(A)

AND

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

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

Dated: 17-6-1994.

ORDER/JUDGEMENT:

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

in

O.A.No. 1557/93

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.

pvm

