

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

O.A. 1613/93.

Dt. of Decision : 8-9-94.

L.V.S. Pressad

.. Applicant.

Vs

1. Government of India rep. by  
the Chief Postmaster General,  
Andhra Pradesh Circle,  
Dak Sadan, Abids, Hyderabad-1.
2. Postmaster General, Eastern Region,  
Vijayawada - 520 002.
3. Sr. Superintendent of Post Offices,  
Guntur Division, Guntur-522 007. .. Respondents.

COUNSEL FOR THE APPLICANT : MR. V. SHIMANNA, ADDL. CGSC.

CORAM:

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

DA 1613/93.

Dt. of Order: 8-9-94.

(Order passed by Hon'ble Shri A.V.Haridasan, Member (J)).

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The applicant is the only son of late Sri L.Subba Rao, who died while he was serving as Asst.Post Master in Guntur Head Post Office on 11-3-91. At the time of his death Sri Subba Rao had only 1 year and 4 months more to reach the age of superannuation. Shri Subba Rao was survived by his mother on 1-4-91 made a request for compassionate appointment in favour of her son. This request was rejected without giving any reason. However, the applicant's mother made another representation on 10-3-92 by order dt.9-3-93. The applicant is a graduate and has been suffering financial困难, praying that the action of the Respondents in refusing to extend to the applicant the employment assistance on compassionate grounds is unreasonable and arbitrary and that the condition of the family really needs such assistance the applicant has filed this application under section 19 of the A.T.Act, 1985, praying for a direction to the Respondents to consider the applicant for compassionate appointment on a suitable post.

2. The Respondents in their reply contended that

the facts that the applicant's family is in receipt of a family pension of Rs.900/- + relief, which would amount to Rs.1,900/-, in addition to a lumpsum of Rs.1,28,912/- as other retiral benefits and is in possession of a residential house worth Rs.1,50,000/- considered that the condition of the family is not so indigent as to deserve employment assistance on compassionate grounds and that this decision was communicated to the applicant's mother as early as in the year 1992. They further contend that vacancies that are verymuch limited, the Committee had to assess the comparative hardship of those who have applied for employ other deserving applicants, the rejection of the claim of the applicant for compassionate appointment cannot be faulted.

3. I have gone through the pleadings and documents. I have also heard Shri V.Bhimanna, learned standing counsel for the Respondents. On a careful analysis of the facts and circumstances brought out in the pleadings and in the documents on record, I am convinced that the action of the Respondents in not acceding to the request of the applicant's mother to appoint the applicant on compassionate grounds

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Copy to:-

1. Chief Post Master General, Andhra Pradesh Circle, Government of India, Dak Sadan, Abids, Hyd-1.
2. Postmaster General, Eastern Region, Vijayawada-002.
3. Sr. Superintendent of Post Offices, Guntur Division, Guntur.
4. One copy to -----
5. One copy to Sri. V.Bhimanna, Addl. CGSC, CAT, Hyd.
6. One copy to Library, L&M, myu.
7. One spare copy.

Rsm/-

cannot be considered arbitrary or irrational. The scheme of compassionate appointment was evolved with the idea to save the family of Government Servant from poverty and salvation on account of the unexpected death of the Government Servant. It cannot be conceived that to provide employment to every son or daughter of an employee who dies in harness was the idea behind the scheme. Here is a case where there is no children to be brought up in the family and the family possesses its own residential house worth above Rs.1,50,000/- in addition to a sum of Rs.1,28,912/- received as terminal - monthly family pension of Rs. 1,900/-. I am of the view that the family of the applicant should be able to sustain itself with these resources without any external assistance. I am satisfied with the report of the Circle Selection Committee that the family is not in dire need of employment assistance as such. This was arrived at on a proper and realistic consideration of

4. In the light of what is stated above, I do not find any merits in this case and therefore I dismiss the

(A.V.HARIDASAN)  
Member (J)

Dt. 8th September 1994

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OA:1613/93

Typed by

Compared by

Checked by

Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

Dated: 8/9/94

M.E./R.P/C.P/No.

U.P. NO.

T.A. NO.

(U.P. NO.)

Issued.

Allowed.

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

NO SPARE COPY

