

(92)

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 261/93

Dt. of decision: 1-10-1993.

Between

B. Venkateswaramma .. Applicant

And

1. Telecom District Manager,
Kurnool - 518 050
2. Chief General Manager,
Telecom, AP, Hyderabad-500 001

3. Director-General, Telecom,
(representing Union of India)
New Delhi - 110 001

.. Respondents

Appearance

Counsel for applicant : Sri C. Suryanarayana

Counsel for respondents : Sri V. Bhimanna,
Addl. CGSC

Coram

The Hon'ble Mr. A.B. Gorthi, Member (Administration)
(Single Member Bench)

J U D G E M E N T

The prayer of the applicant herein is for appointment
on compassionate grounds.

2. The applicant is the daughter of late B. Chinnaiah,
who while working as Lineman in the Telegraph Department
at Munagalapadu in Kurnool District died on 16-6-75. He
was, at the time of death, ~~also~~ probably working on a

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Telegraph pole. At the time of the death of the employee the applicant was 3 years old. The family of the deceased employee, comprise a widow and two daughters including the applicant. As soon as applicant attained age of 18 years, the widow represented to the Chief General Manager, Telecom, requesting for compassionate appointment to her eldest daughter i.e. the applicant. In that application she stated that after the death of her husband she was working as Agricultural Labourer to support and bring up her children. The respondents turned down her request for compassionate appointment of the applicant on the ground that she made the request fifteen years after the death of the employee.

2. None for the respondents appeared. But the counter filed by them has been carefully perused. It is apparent from the counter affidavit that the request for compassionate appointment of the applicant was turned down for the reason that the request was made belatedly and that the family of the applicant did not "seem to be in indigent condition".

3. From the particulars furnished in the application for compassionate appointment, it could be seen that the applicant's family possess no movable or immovable properties. The family was in receipt of a family pension of Rs.537/- besides DCR Gratuity of Rs.1,700/-. Under these circumstances, when the family comprising of three members viz. the widow, and two daughters, one fails to understand how the respondents have come to the conclusion that the family is not in indigent circumstances. The applicant passed SSC and it is now said by the learned counsel for the applicant Sri C. Suryanarayana that she is engaged as Casual Typist under SDOT, Kurnool.

4. Firstly, the contention of the respondents that the application was made belatedly, cannot be accepted. It was made soon after the applicant attained age of majority. If the widow herself did not apply for compassionate appointment, it cannot be held against her because at that time she had to bring up her two small daughters. Under these circumstances, I find no justification for the rejection of the applicant's case for appointment on compassionate ground.

5. The application is allowed, and the respondents are hereby directed to consider the case of the applicant for appointment on compassionate grounds, either against a Class 'C' post, or even Class-IV (Group-D) Post. This may be done within a period of three months.

6. The application is thus allowed without any order as to costs.

Amulya
(A.B. Gorathi)
Member (Admn.)

Dated 1st October, 1993
Dictated in Open Court

8/10/93
Deputy Registrar (J)

To

1. The Telecom District Manager, Kurnool-050.
2. The Chief General Manager, Telecom, A.P.Hyderabad.
3. The Director General, Telecom, Union of India, New Delhi-1.
4. One copy to Mr.C.Suryanarayana, Advocate, CAT.Hyd.
kmv
5. One copy to Mr.v.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

30/9/93
Par 6/10/93

TYPED 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. GORTHI : MEMBER (A)

AND

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

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M (A)

Dated: 1 - 10 - 1993

ORDER/JUDGMENT:

M.A./R.M./.....

in
O.A. No. 261/93.

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

