

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:

AT HYDERABAD

(Misc. Appn. U/R. 27 of Admr. Tribunal Act 1985)
M.A.No. 1056 of 1995

in

O.A.No.781 OF 1994

BETWEEN:

Jonnada Prasada Rao,
S/o.J.Appa Rao, aged about 23 years,
R/o. Parvatipuram Division,
Vizianagaram District, A.P.

Applicant

A N D

1. The Superintendent of Post Offices,
Parvatipuram Division, 532 502,
Vizianagaram District.
2. The Chief Post Master General,
A.P.Circle, Dak Sadan, Abids,

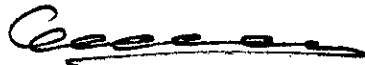
Respondents

The address of the petitioner for services of all notices is
that of Counsel:

Mr.Krishna Devan, Advocate,
CAT, Hyderabad

For the reasons stated in the accompanying affidavit,
it is prayed that the hon8ble Tribunal may be pleased to direct
the Respondents to appoint the applicant as Postal Assistant on
compassionate ~~xxxx~~ grounds in any vacancies existing or by
creating supernumery post otherwise the applicant will be put
to untold hardship and damage and pass such other order (or)
further orders as deemed fit and proper.

Hyderabad:A.P


Counsel for the Petitioner/
Applicant

Date: 29-11-1995

IN THE COURT OF THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:

AT HYDERABAD

M.A.No. 1056 OF 1995

in

O.A.No. 781 OF 1994

Between:

Jonnada Prasada Rao

Applicant

A N D

The Superintendent of Post Offices,
Parvatipuram Dn, 532 502,
Vizianagaram District, A.P. & another

Respondents

A F F I D A V I T

I, Jonnada Prasada Rao, S/o.J.Appa Rao, aged about 23 years, R/o.Parvathipuram Vizianagaram District, A.P.,having temporarily come down to Hyderabad solemnly affirm and state as follows:

1. I am the Petitioner herein and the applicant in the main O.A and as such well acquainted with the facts of the case.
2. My father who was working as Mailover Sear in Parvathipuram Divison has been retired from service on Medical invalidation from 1-2-1992. We do not have any source of income to meet the recurring Medical expences of my parents and especially huge amount required for the operation in connection with my mother ailment. Further we have some financial liabilities to discharge. Strictly speaking we do not any own house to live in. While such is the indigent circumstances prevailing in our family the first respondent in the order dated 8-2-94 has summarily rejected my claim for Compassionate appointment.
3. Aggrieved by the rejection for giving compassionate appointment, I have filed O.A.781/94 before the Hon'ble CAT, Hyderabad Bench. The Respondents herein have filed the reply statement. Having considered the pleas of both the parties the Hon'ble Bench has allowed the O.A.781/94 on 18-4-95. The Hon'ble Bench in its

order dated 18-4-1995 at para 5 & 6 has observed that a few aspects such as not possessing any house or land have not come up for consideration before the competent authority ~~passing~~ order dated 8-2-94. The Hon'ble Bench directed the Respondents to reconsider the case of the applicant taking into the consideration the financial indigency of the applicant's family.

4. I have in representation dated 20-5-95 enclosing the Judgment copy dated 18-4-95, requested to the second respondent to reconsider and issue orders for appointing me in Group-C cadre in Parvathipuram Division. The first respondent's letter dated 11-9-95, Memo No. B2/7/95, has informed that the first respondent decided the case of the applicant was rejected on the ground that no minor children nor daughter's to be married not indigent circumstances. Therefore I am constrained to approach the Hon'ble Tribunal seeking Justice.

5. I submit that the observations and the ultimate direction of Hon'ble Bench are not honoured by the first respondent and thus the Judgment of Hon'ble Tribunal was implemented only in letter but not spirit. There can be no doubt that the Hon'ble Tribunal on hearing both sides have found that the first respondent has not given fair and proper considerations to the facts and circumstances evidence in the indigency of the family. The second respondent has only technically obeyed the directions of the by reconsidering case. The Hon'ble Bench has clearly observed at para '5' that the family is not having any house or land and family is not in sound position. Instead of adverting these two specific aspects at the time of reconsideration. The first respondent or the selection committee has clearly turned blind eye and hence disobeyed the directions of the Hon'ble Tribunal. Instead the selection committee has brought in an extraneous aspects such as minor children, unmarried daughter the existence of which alone will constitute the indigent circumstances. The rationale of the selection committee is absolutely unjust.

IN THE COURT OF THE CENTRAL ADMINISTRATIVE

TRIBUNAL: HYDERABAD BENCH: AT HYD:

M.A.No. of 1995

in

O.A.No. 781 of 1994

Between:

Jonnada Prasada Rao Applicant

AND

The Supdt. of Post Offices,
Parvathipuram Divison 532 502
Vizianagaram District and
another

Respondents

APPLICATION SEEKING IMPLEMENTATION OF

JUDGMENT

Filed on: 29-11-1995

Filed by:

KRISHNA DEVAN
Advocate

(Counsel for the Applicant)