

(6)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

HYDERABAD BENCH : AT HYDERABAD

DA 885/94.

Dt. of Order: 5-1-95.

M.Venugopal

.... Applicant

Vs.

1. The Supdt. of Post Offices,
Guntakal DN.
2. The Chief Post Master General,
A.P.Circle, Daksadag, Abids,
Hyderabad.
3. The Director General,
Dept. of Posts, Sak Bhavan,
Sansad Marg, New Delhi-110 001.

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Counsel for the Applicant : Shri Krishna Devan

Counsel for the Respondents : Shri Kota Bhaskar Rao, Addl. CGSC

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COMAM:

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

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.....2.

for the respondents states that the case of the applicant was duly considered by the Circle Selection Committee and has shown me the record of the proceedings of the Selection Committee. Taking into consideration the circumstance of the case it appears that the respondents have largely been influenced by the fact that the elder son of the family is an earning member. But in view of the affidavit rendered by the widow of the applicant and taking into consideration the fact that the family pension has since been substantially reduced to the minimum it would be in the interest of the justice if the case of the applicant is reconsidered by the Circle Selection Committee. Before doing so it is open to the authorities concerned to verify whether or not the eldest son of the employee is making any financial contribution to the family of the applicant. In the result, the OA is disposed of with the direction to the respondents to reconsider the case of the applicant within a period of 3 months from the date of communication of this order. No order as to costs.

ORDER OF THE CHIEF OFFICER
[Signature]
 Chief Officer,
 Central Adm. & Finance Tribunal
 Hyderabad Branch
 Hyderabad.

TO

1. The Superintendent of Post Offices, Guntakal Division, Guntakal.
2. The Chief Post Master General, A.P. Circle, Daksadan, Abids, Hyderabad.
3. The Director General, Dept. of Posts, Dak Bhavan, Sansad Marg, New Delhi.
4. One copy to Mr. Krishna Devan, Advocate, CAT, Hyderabad.
5. One copy to Mr. K. Bhaskar Rao, Addl. CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

(LKR)

True copy
[Signature]

One copy to OA 886/94
 Dts of 12.1.95
 Copy sent to 12.1.95
 Chief Officer (D)

(7)

4. Heard learned counsel for both the parties. At the very outset Mr. Krishna Devan, learned counsel for the applicant has strongly urged that the respondents were not right in coming to the conclusion that the family is not in indigent circumstances. The terminal benefits received by the family are very meagre and were exhausted during the marriage of the eldest daughter. Even the family pension has since been reduced to Rs. 375/- plus relief as per the extant rules. The applicant has the responsibility for not only looking after the widowed mother but also taking care of the marriage of his younger sister. So far as the eldest brother of the applicant is concerned, he is married and has 2 children and is unable to give any financial assistance to the family. The widow of the employee has given an affidavit to this effect, which is received from the applicant's counsel and taken on record.

5. Mr. Krishna Devan further drew my attention to Government of India, Department of Personnel and Training, O.M.No. 14014/20/90-Estt. (D) dated 9.12.93, para 4 which reads as under:-

"In case where any member of the family of the deceased is already in employment and is not supporting the other members of the family of the deceased, extreme caution has to be observed in ascertaining the economic distress of the members of the family of the deceased so that the facility of appointment on compassionate ground is not circumvented and misused by making grounds that the member of the family already employed is not supporting the family".

6. In view of the above, the applicant's counsel urges that the respondents should not have denied the applicant's request solely on the ground that the eldest son of the employee is employed.

7. Mr. K. Bhaskara Rao, learned standing counsel

Contempt Petn.

In the Central Admny. Tribunal

A.P. Hyderabad.

C. P

NO

/95

in

OA 886/94



CONTEMPT

APPLICATION

Received on
17/10/95
[Signature]

Filed on

16/10/95

Krishna

Devan

Advocate

for

petitioner

filed.

10/11/95

[Signature]