

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
HYDERABAD

D.A.NO.1141/94

Between:

Date of Order: 26.7.95

M.V.U.Ramash

...Applicant.

And

1. The Secretary,
Ministry of Communications,
Dept. of Posts, New Delhi.
2. The Chief Post Master General,
A.P.Circle, Hyderabad.
3. The Post Master General,
C.B.M.Compound,
Visakhapatnam.
4. The Superintendent, R.M.S.,
'V' Division, Visakhapatnam.

...Respondents.

Counsel for the Applicant : Mr.N.Ram Mohan Rao

Counsel for the Respondents: Mr.K.Bhaskara Rao, Addl.CGSC.

CORAM:

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

contd...

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GA 1141/94.

Dt. of Order:26-7-95.

(Order passed by Hon'ble Shri A.B.Gorthi, Member (A)).

* * *

The applicant is the son of late Sri M.V.V.Satyanarayana, who having served the postal department for about 25 years, expired, on 8-8-89, while in service. The request of the applicant for appointment on compassionate grounds has been accepted by the Department, but he was offered appointment as a Mail Guard. The claim of the applicant is that his case should be considered for appointment as a Sorting Assistant/Postal Assistant.

2. The Respondents in the reply affidavit have stated that the case of the applicant was considered for appointment on compassionate grounds and was accepted on merits. The Circle Selection Committee selected him for appointment as a Mail Guard, taking into consideration his qualifications. He is at Sl.No.11 in a list of 17 approved candidates for appointment as Post Man/Mail Guard. The Respondents stated that the applicant will be given appointment as Mail Guard in his turn.


3. The Respondents have shown me the official record, from which I find that the request of the applicant for appointment as Sorting Assistant/Postal Assistant was examined carefully. At the level of Post Master General, a decision was taken, keeping in view the low marks obtained by the applicant in Pre-University ~~Class~~ ^{Class} Court (P.U.C.) that he could not be recommended for appointment as Sorting Assistant/Postal Assistant.

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4. It is stated on behalf of the Respondents that Mail Guard is a Group 'C' post, as is the case ^{with} of the post of Postal Assistant/Sorting Assistant. In these circumstances, I do not find any justification to come to the conclusion that the case of the applicant ^{has} not received a fair and proper consideration. It is settled law that while seeking appointment on compassionate grounds, a candidate cannot claim appointment to a specific post. It is for the Respondents to consider the case of the applicant and give him a suitable appointment commensurate with his qualifications. That having been done in this case, I find that no further order is called for in this O.A.

5. Learned counsel for the applicant urges for a direction to the respondents to give appointment to the applicant as early as possible keeping in view the indigent circumstances facing his family. There is no doubt that compassionate appointments must be given without undue delay. It is expected that the Respondents shall bear this in mind. The O.A. is disposed of accordingly.

No order as to costs.


(A.B. GORTHY)
Member (A)

Dated: 26th July, 1995.
Dictated in Open Court.


DEPUTY REGISTRAR(J)

avl/
To

1. The Secretary, Min. of Communications, Dept. of Posts, New Delhi.
2. The Chief Post Master General, A.P. Circle, Hyderabad.
3. The Post Master General, C.B.M. Compound, Visakhapatnam.
4. The Superintendent of R.M.S., 'V' Division, Visakhapatnam.
5. One copy to Mr. N. Ram Mohan Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. Kota Bhaskara Rao, Addl. CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One spare copy.

YLKR

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CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

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

AND

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

DATED 26.7.95

ORDER/JUDGMENT

M.A.NO/R.P.NO./C.P.NO.

in

O.A.NO. 1141/94

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered.

No order as to costs.

YLKR

No spare copy
Central Administrative Tribunal

DESPATCH

9 AUG 1995

HYDERABAD BENCH