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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : AT HYDERABAD

DA No.1220/94.

Dt. of Order:3-1-95.

Smt.Chebrolu Padmavathi

... Applicant

Vs.

Union of India represented by :

1. The Chief Post Master General,
Abid Road, Hyderabad.
2. The Post Master General,
Governerpet, Vijayawada.
3. The Senior Supdt. of Post Offices,
Prakasam District Division,
Gngole - 523 001.

... Respondents

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Counsel for the Applicant : Shri N.Raghavan

Counsel for the Respondents : Shri N.V.Ramana. Addl.CGSC.

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CORAM:

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

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.... 2.

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

* * *

This is an application from the wife of late Sri Chebrolu Kotaiah, praying for appointment on compassionate grounds.

2. Sri Kotaiah, while working as a postman at Perala Post Office died on 20-3-1983 while in service. The applicant become entitled for service benefits but unfortunately her mother-in-law (Smt.Anasuyamma) took the issue to the Civil Court by filing O.S.No.63/84 and by obtaining an Injunction against payment of any of the amounts of the service benefits to anybody other than the plaintiff Smt. Anasuyamma. The suit was decided on 5-2-1988 by the Principal District Munsiff, Chirala. It was held therein that the applicant and her mother-in-law were both Class-I heirs of late Sri Kotaiah and that the applicant would be entitled to receive family pension. The Respondents have accepted the judicial verdict and have started paying the applicant the family pension of Rs.375/- and D.A. relief per month. Her request for appointment on compassionate grounds was rejected on the ground that "the applicant managed for 10 years and also the family is not in indigent circumstances".

3. Heard learned counsel for both the parties. Due

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Copy to:-

1. The Chief Post Master General, Union of India, Abids road, Hyderabad.
2. The Post Master General, Governerpet, Vijayawada.
3. The Senior Supdt of Post Offices, Prakasam District Division, Ongole-001.
4. One copy to Sri. N.Raghavan, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

to the court case instituted by the mother-in-law of the

~~applicant~~ the applicant had to suffer even without the benefit of receiving her due family pension for

10 years. She has a daughter, who is 11 years old. ^{The applicant, Having}

somehow or the other, ~~the applicant~~ has managed to survive all these 10 years. It should not by itself be taken as

proof that she was not in indigent circumstances. From the

counter affidavit filed on behalf of the Respondents, it is

not at all clear as to how the Circle Selection Committee

came to the conclusion that the applicant was not in indi-

gent circumstances. It is clearly stated in the Original

Application, and not refuted in the counter affidavit, that

the applicant does not have any movable or immovable pro-

perty. She is also saddled with the responsibility of

bringing up a young daughter. Taking into consideration

the circumstances of the case of the applicant, I am of the

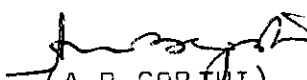
considered view that her request for compassionate appoint-

ment needs to be objectively and sympathetically re-considered

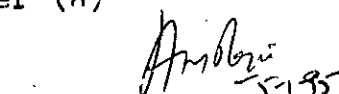
by the Respondents. This shall be done by the Respondents

within a period of three months from the date of receipt of

a copy of this order. No order as to costs.


(A.B. GORTHI)
Member (A)

Dt. 3rd January, 1995.
Dictated in Open Court.


Dr. Rajeswar (S)

avl/

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DA-12-2-61ay

TYPED BY
CHECKED BY

COMPARED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR. A.V. HARIDASAN : MEMBER

AND

THE HON'BLE MR. A.B. GORTHY : MEMBER

DATED : 31/1/95

ORDER/JUDGEMENT.

M.A./R.P./C.P.No.

in

D.A.No. 12-2-61ay

Admitted and Interim directions
issued

Allowed

Disposed of with Directions

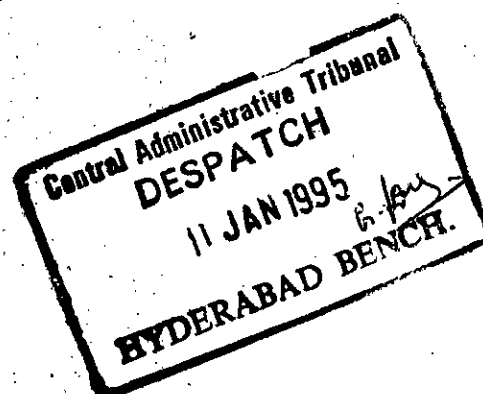
Dismissed

Dismissed as withdrawn

Dismissed for Default.

Rejected/Ordered

No order as to costs.



YLKR