

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD.

\* \* \*

O.A.239/94.

Dt.of Decision : 13.7.94.

Shri B. Venugopal

.. Applicant.

Vs

1. The Director of Postal Services  
A.P. Northern Region,  
Hyderabad.
2. The Sr. Superintendent of Post  
Offices, Secunderabad Division,  
Secunderabad.
3. The Assistant Superintendent of  
Post Offices, East Sub-Division,  
Hyderabad - 500 659.

.. Respondents.

Counsel for the Applicant : Mr. P. Sridhar Rao (NOT PRESENT)

Counsel for the Respondents : Mr. N.V. Ramana, Addl.CGSC.

CORAM:

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

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

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JSP

O.A. 239/94

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{ As per Hon'ble Shri A.V. Haridasan, Member (Judl.) }

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The applicant who is the son of late B. Lingam who died while in service on 1.1.88 has filed this application praying that it may be declared that the action of the respondents in not providing him employment on compassionate grounds is unjust and contrary to law and in violation of Articles 14 and 21 of the Constitution of India and for a direction to the respondents to appoint him to a regular post by creating a supernumerary post.

2. The applicant did not appear when the case was posted for hearing on previous 2 occasions and therefore the case was listed for dismissal today. *None is present for him to day also-*  
However, to satisfy our judicial conscience as to whether the case of the applicant for compassionate appointment was probably considered by the competent authority, we have perused the entire file which contains consideration of the case of the applicant which was made available by the learned Central Govt. Standing Counsel and it is seen from the notings in the file that the applicant has got 2 elder brothers who were employed and the family has got a sum of Rs. 49,000/- as terminal benefits apart from pension as also <sup>is</sup> possessing own house. On this facts the Committee which considered the case of the applicant felt that the case does not deserve appointment being given to the applicant on compassionate grounds. We are convinced that this decision of the committee cannot be characterised as unreasonable. Compassionate appointment is to be justified only in

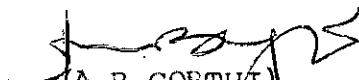
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cases where the bread-winner of the family dies leaving the family in indigent circumstances without any earning member. This is a case where there are two earning members in the family. Hence the family cannot be said to be left destitute and indigent.

3. For all these reasons we find no merit in this application and so we dismiss the same without any order as to costs.

  
(A.B. GORTHI)  
Member (Admn.)

  
(A.V. HARIDASAN)  
Member (Judl.)

Dated: 13th July, 1994

( Dictated in Open Court )

sd

  
Deputy Registrar(Judl.)

Copy to:-

1. The Director of Postal Services, A.P. Northern Region, Hyderabad.
2. The Sr. Superintendent of Post Offices, Secunderabad Division, Secunderabad.
3. The Assistant Superintendent of Post Offices, East Sub Division, Hyderabad-659.
4. One copy to Sri. P. Sridhar Rao, advocate, 3-4-206/2, Lingampally, Raghavendraswamy Temple lane, Hyd-27.
5. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

30d Recd  
Am 21/7/94

0-A 239/94

Typed by

Compared by

Checked by

Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

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

Dated: 13/7/94 ✓

ORDER/JUDGMENT. ✓

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

G. A. NO.

<sup>in</sup>  
239/94 ✓

L. A. NO.

(U. P. NO.)

Admitted and Interim Directions  
Issued.

Allowed.

Disposed of with directions.

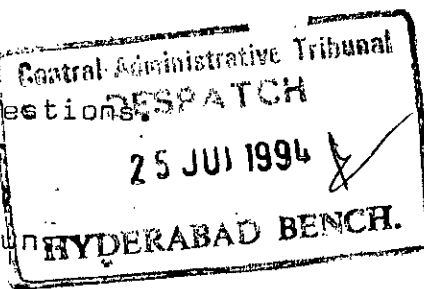
Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered. ✓

No order as to costs. ✓



13/7/94  
2/8/94  
2/7