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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A. 629/94.

Dt. of Decision : 9-8-94.

A. Ramkiran

.. Applicant.

Vs

1. Union of India, rep. by
Secretary, Dept. of Posts &
Telecommunications,
New Delhi.
2. The Chief Post Master General,
Andhra Circle, Abids,
Hyderabad.

A.P. Circle, Abids, Hyderabad-11

Counsel for the Applicant : Mr. E.S. Ramachandra Murthy (NOT PRESEN

Counsel for the Respondents : Mr. V.B. Manna, Addl. CGSC.

CORAM:

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

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

25/10/94

OA 629/94.

Dt. of Order: 9-8-94.

(ORDER PASSED BY HON'BLE SHRI A.V.HARIDASAN, MEMBER (J)).

* * *

This application is directed against the rejection of the claim of the applicant for employment assistance on compassionate grounds. The applicant's father expired on 12-7-92 while he was working as Jr. Accounts Officer in the office of the Director of Accounts (Postal), A.P. Circle, Hyderabad. The applicant is the third son of the deceased employee. The first son is employed under M/s Godavari Fertilisers, Kakinada, earning a salary of Rs. 1000/- p.m. Second son of the deceased employee is also attending to some odd jobs and getting some meagre daily income. The family was given a terminal benefits amounting to Rs. 1,26,873/-. A sum of Rs. 2,121/- is the family pension which the family is getting. ^{PM} ~~under these~~ ~~circumstances, the request~~ Apart from this it is further contended in the counter of the Respondents that the family has its own residential house also. Taking these facts and circumstances, the competent authority decided that the deceased employee's family is not in ~~the~~ ^{deserving} indigent circumstances ~~and~~ ~~needing~~ the employment assistance. Against this order, the applicant's mother submitted another representation ~~also~~ requesting for employment assistance on compassionate grounds, which was also rejected by the

Copy to:

1. The Secretary, Dept. of Posts & Telecommunications,
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A.P. Circle, Abids, Hyderabad.
4. One copy to Mr. E.S. Ramachandra Murthy, Advocate, CA#7, Hyderabad.
5. One copy to Mr. *V. B. Jinnanna, Addl. C.S.O. CAT, Hyderabad.*
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

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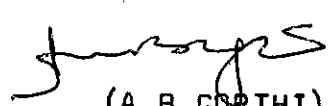
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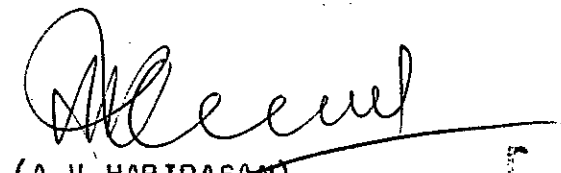
As on Day

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Respondent authorities.

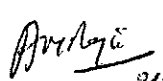
2. The Respondents resist the application on the ground that the family not being under indigent circumstances, compassionate appointment is not justified. Having perused the pleadings in the case and having heard the learned counsel for the Respondents, we are satisfied that the decision taken by the Respondents not to extend the benefit of compassionate appointment cannot be faulted especially in the light of the judgement rendered in Auditor General of India & others Vs. Anantha Rajeshwara Rao (1994 SCC (L&S) 500), wherein it has been held that the compassionate appointment is justified only in ^{where} case of government employee dies in harness leaving the family in indigent circumstances without any other earning member in the family. In the light of what is stated the application leaving the parties to bear their own costs.


(A.B. GORTHI)
Member (A)


(A.V. HARIDASAN)
Member (J)

Dt. 9th August, 1994.
Dictated in Open Court.

avl/


26-8-94
DEPUTY REGISTRAR (J)

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Typed by
Checked by

Compared 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: 9.8.94 ✓

ORDER/JUDGMENT. ✓

M.A./S.P./C.P.NO.

O.A.NO. 629/94 ✓
T.A.NO. in

(W.P.NO.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions.

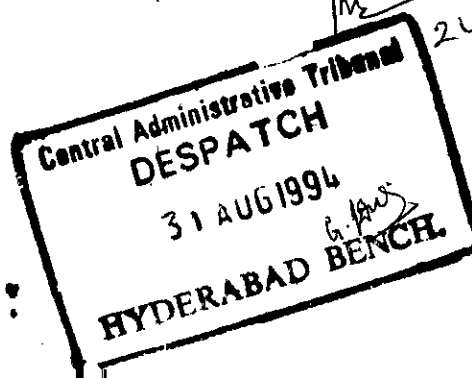
Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs. ✓



OA 629/94.

Dt. of Order: 9-8-94.

(ORDER PASSED BY HON'BLE SHRI A.V.HARIDASAN, MEMBER (J)).

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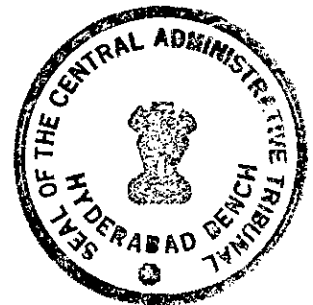
Dt. of Decision : 9-8-94.

A. Ramkiran

.. Applicant.

Vs

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2. The Chief Post Master General,
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Hyderabad.
3. The Director of Accounts (Postal)
A.P. Circle, Abids, Hyderabad.



.. Respondents.

Counsel for the Applicant : Mr. E.S. Ramachandra Murthy (NOT PRESENT)

Counsel for the Respondents : Mr. V.B. Manna, 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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CD-629/94
9-8-94
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CERTIFIED TO BE TRUE COPY

Date.....
Court Officer
Central Administrative Tribunal
Hyderabad Bench
Hyderabad.

contd...