

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD


D.A. 708/94. Dt. of Decision : 23-8-94.

Smt. S. Sarojini

.. Applicant.

Vs

1. Union of India represented
by its Secretary,
Department of Posts,
New Delhi.

2. Chief Post Master General,
A.P. Circle,
Hyderabad.

3. Sr. Superintendent, R.M.S.,
Department of Posts,
Hyderabad - 27.

.. Respondents.

Counsel for the Applicant : Mr. K.K.Chakravarthy

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

CORAM:

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

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AMZ

DA 708/94.

Dt. of Order : 23-8-94.

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

* * *

The applicant is the widow of late Sri S.Eswaraiah, who, while working as LSG/SA in RMS Division, Hyderabad, died on 2-5-91. The family of the deceased employee comprises the widow, 5 daughters and two sons. Four daughters were married, three prior to the death of the employee and one later on 26-5-91. The eldest son being uneducated, is working as ^a Fitter in a private company receiving a meagre salary of Rs.700/- p.m. The applicant's request is for appointment to her second son, who failed S.S.C. The main contention raised by the applicant is that she is burdened with the responsibility of looking after an unmarried daughter, who is mentally retarded. As this is a life-long responsibility, she asserts that she would not be able to bear this responsibility unless some help is received from her unemployed second son.

2. The Respondents in their reply affidavit have stated that on the/employee the family received Rs.1,15,379/- as terminal benefits and that the family is in receipt of family pension of Rs.900 p.m. + Dearness relief. Accordingly the Respondents came to the conclusion

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1. The Secretary, Union of India
2. The Chief Post Master General,
A.P. Circle, Hyderabad.
3. The Senior Superintendent, R.M.S.,
Hyderabad Sorting Division,
Department of Posts,
Hyderabad-27.
4. One copy to Mr.K.K.Chakravarthy, Advocate, CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
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that as the applicant is not left with any minor children to be looked after and as the family received considerable terminal benefits, her request for giving appointment to her 2nd son could not be accepted.

3. Heard learned counsel for both the parties. From a very careful examination of the reply affidavit filed by the Respondents, it would appear that an important factor viz., that the applicant is saddled with the responsibility of taking care of a mentally retarded, grown up daughter ~~she~~ escaped the attention of the authorities concerned. This aspect of the matter deserves to be taken into consideration in examining the merits of the case of the applicant for giving appointment to her second son. Accordingly the Respondents are directed to verify, if required, the applicant's contention that her daughter is mentally retarded, and if satisfied, to re-consider the case of the applicant for giving appointment to her younger son on compassionate grounds.

4. The O.A. is ordered as above, with no order as to costs.

Amritpal Singh
(A.B.GORPHI)
Member (A)

Dt. 23rd August, 1994.
Delivered in Open Court

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Amritpal Singh
26-884
Deputy Registrar (J)

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

Dated: 23.8.94

ORDER/JUDGMENT.

~~M.M./B.P./C.P.NO.~~

O.A.NO. 708/94 ^{IN}
T.A.NO. (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.

