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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD

O.A.No.738/94

Dt.of order:17.02.1995

Between

Smt P.Nageswaramma

.. Applicant

1. Superintendant of Postoffices,
Narasaraopet Division
Narasarappet.

2. Chief Postmaster General
Andhra Pradesh, Hyderabad

3. Director General
Postal Department,
New Delhi.

.. Respondents

Counsel for the Applicant :: Mr N.Ashok Kumar

Counsel for the Respondents :: Mr NR Devraj, Sr.CGSC

CORAM:

HON'BLE SHRI A.V. HARIDASAN, MEMBER(JUDICIAL)

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

ORDER

(As per Hon'ble Shri AB Gorthi, Member(Admn)

The applicant is the widow of Late Sri P.V.Anjaneulu died on 15.7.1988. The claim of the applicant is, for a direction to the respondents to consider ~~granting~~ granting compassionate appointment to her only son Sri P.V.Sambasiva-Rao.

At the time of the demise of the employee, the family comprised of the widow, three daughters and one son. All the three daughters were married; but, the son was a minor. The request of the applicant for compassionate appointment to her son was considered and the respondents replied in 1988 that she could approach the department after her son had attained the age of 18 years. Consequently, the applicant again approached the respondents; but, her request was turned down in 1990. She, once again took up the matter with the authorities concerned, but without any success.

3. The respondents, in their reply affidavit, have stated that on the death of the employee, the family was sanctioned monthly pension of Rs.635 plus relief. In addition the family received a sum of Rs.93,920/- by way of various terminal benefits, including, GPF, PEI and CGEIS. Further, the respondents contended that the family owned two houses from which, there was a monthly income of Rs.200/-. Taking these circumstances into consideration, the Circle Selection Committee which considered the request of the applicant, rejected her request for giving compassionate appointment to her son.

4. Heard Learned counsel for both the parties.

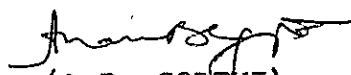
Mr Ashok Kumar, learned counsel for the applicant, has drawn our specific attention to the latest representation of the applicant, addressed to the Superintendent, Narasaraopet Division. From the facts stated therein, we find that after the rejection of her case by the respondents, certain unfortunate developments took place adding to the misery of the applicant's family. ~~Her husband~~ became sick and had to dwell at her parental house for treatment. Further and more important, the applicant herself has become a patient of breast cancer. From the medical certificate and other documents ~~xxxxxxx~~ annexed to her representation, it would be evident that she is undergoing radio therapy for treatment of the same.


The seriousness of the disease and the expenses involved in the treatment for such a disease require no elaboration. Another fact that cannot be glossed over is, that the pension sanctioned to the family in the year 1988 when the employee died, would, after a period of seven years, i.e., in 1995, be substantially reduced as per the extant rules governing grant of Family Pension. Keeping in view these factors, it cannot be said that the family of the applicant is not in a state of ~~poverty~~[&]. In fact, when her request was initially put up for consideration before the Circle Selection Committee, the Postmaster General, (Vijayawada) under whom the applicant's husband served, came to the conclusion that the applicant's family was in indigent circumstances and deserved employment assistance for her son. Notwithstanding the view taken by the Postmaster General, Vijayawada, the request of the applicant was rejected by the Circle Selection Committee. From the records it is clear, when the

Circle Selection Committee considered the request of the applicant, the aforestated circumstances pertaining to the applicant becoming a cancer patient, and the likelihood of her pension being substantially reduced, were not there before the Circle Selection Committee for consideration.


5. In view of the aforestated, we deem it just and proper that the respondents should re-consider the request of the applicant bearing in mind, the additional factors brought out by the applicant in her petition addressed to the Superintendent, Narasaraopet Division which is at Annexure IX to the OA. We accordingly direct the respondents to place the request of the applicant for granting her compassionate appointment to her son before the next sitting of the Circle Selection Committee for re-consideration.

6. OA ordered accordingly. No order as to costs.


(A.B. GORTHI)
Member(Admn)


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

Dated: The 17th Feb., 1995
(Open Court Dictation)


Dy. Registrar (J)

mvl

Copy to:-

1. Superintendent of Post Offices, Narasaraopet Division, Narasaraopet.
2. Chief Postmaster General, A.P. Hyderabad.
3. Director General, Postal Department, New Delhi.
4. One copy to Sri. N. Ashok Kumar, advocate, Nimbeliadda Kachiguda road, Hyd.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

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

AND

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

DATED : 17/2/95

ORDER/JUDGEMENT.

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

in
D.A.No. 73874

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

