

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD
O.A.NO. 667 of 1995.

Between

Dated: 19.2.1996.

Smt. Vaseem Khatoon

...

Applicant

Gesu Babu.

And

1. The Superintendent of Post Office, Sangareddy Division, Sangareddy, Medak District.
2. The Chief Post Master General, A.P.Circle, Hyderabad.
3. The Circle Selection Committee, C/O The Chief Post Master General, A.P.Circle, Hyderabad.

... Respondents

Counsel for the Applicant

: Sri. T.P.Acharya

Counsel for the Respondents

: Sri. N.V.Ramana, Addl. CGSC.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:...2/-

Judgement

(As per Hon. Mr. R. Rangarajan, Member(Admn.))

Heard Sri T.P. Acharya, learned counsel for the applicants and Sri N.V. Ramana, learned counsel for the respondents.

2. There are two applicants in this DA. The first applicant is the widow of late Sri Md. Rasool, who was working as Postman under R-1. The second applicant is the son of Sri late Rasool, ~~for whom~~ the first applicant prays for compassionate ground appointment.

3. The facts of this case are as follows :

Late Sri Md. Rasool, died on 9-12-1986 while working as a Postman under R-1. He left behind his widow (the first applicant herein), his son (the second applicant herein) and unmarried daughter. It is stated that the daughter is physically handicapped person. The first applicant was given a family pension of Rs.375/- with DA added to it. An amount of Rs.42,000/- was earlier received by the family as final settlement dues of late Sri Md. Rasool. It is also the case of the applicants that they are not having house to live and ^{with} the meagre pension and the final settlement dues received by them, they are not able to make both ends meet. As the ~~daughter~~ is also to be married at the time when her ~~husband~~ died she prayed for compassionate ground appointment to her minor son. But the second applicant i.e. her son being

a minor could not be provided with compassionate ground appointment. But he applied for compassionate appointment when he attained majority in the year 1992. But it is stated for the respondents that the daughter also got married in March, 1993.

4. The Circle Selection Committee considered the application for compassionate ground appointment of the second applicant and rejected the same by Annexure-I letter dated 20-10-94 on the ground that "the family has no liabilities and is not in indigent circumstances".

5. Aggrieved by the above, this OA is filed praying for a declaration that the proceedings No.8-II/16.VK dated 20-10-1994, as illegal, arbitrary, unconstitutional and violative of principles of natural justice and for a consequently direction to the respondents to appoint the second applicant on compassionate grounds to the post for which he is eligible with all consequential benefits.

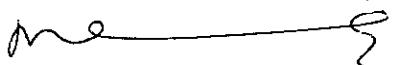
5. In similar cases, this Tribunal has taken the view that whenever a case for compassionate ground appointment is rejected on the ground that the family is not placed in indigent circumstances, and the compassionate ground appointment asked for is after a lapse of considerable period from the date of death of the bread winner then the case has to be referred to the Member (Personnel) of the Postal Department for deciding the issue on the basis of the facts and other relevant factors. As this case falls under that

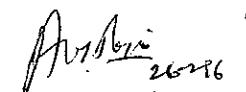
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category, I feel it fit to give a direction to the Member (Personnel), Postal Department, for deciding the issue on the basis of the representation and other relevant factors.

6. In the result, the following direction is given : Member (Personnel), Postal Department, should consider the case of the second applicant for compassionate ground appointment taking all the factors in to consideration and give a considered verdict within a period of three months from the date of receipt of copy of this order.

7. The OA is ordered accordingly. No costs.


(R. Rangarajan)
Member (Admn.)


Dated : February 19, 96 Dy. Registrar (Judl.)
Dictated in Open Court

Copy to:-

1. The Superintendent of Post Office, Sangareddy Division, Sangareddy, Medak District-001.
2. The Chief Post Master General, A.P.Circle, Hyderabad-00
3. The Circle Selection Committee, C/O Chief Post Master General, A.P.Circle, Hyd.
4. One copy to Sri. T.P.Acharya, 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/-

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

HON'BLE SHRI A.O. SORATHI : MEMBER (A)
R. Rangappa.

HON'BLE SHRI

DATED: 19/2/96

ORDER/JUDGMENT

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

IN

O.A. No. 667/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

* * *

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