IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

*****

O.A.No.1155/95.   Dt. of Decision : 27-06-96.

R.Suresh Kumar   .. Applicant.

        Vs.

1. The Flag Officer Commanding-in-Chief,
   Eastern Naval Command,
   Naval Base,Visakhapatnam.

2. The Admiral Superintendent,
   Naval Dockyard,
   Visakhapatnam-530 014.   .. Respondents.

Counsel for the Applicant   : Mr. S.Kishore

Counsel for the Respondents   : Miss Shyama for
                                 Mr.K.Ramulu, Addl.CGSC.

CORAM:-

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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ORDER

Oral Order (Per Hon'ble Shri R.Rangarajan, Member(Admn.)

Heard Mr.S.Kishore, learned counsel for the applicant and Miss Shyama for Mr.K.Ramulu, learned counsel for the respondents.

2. The applicant in this OA is the son of Late Mr.Subba Rao, who was appointed as a casual un-skilled labour w.e.f., 03-04-79 with Token No.6335. While in service, the applicant's father died on 05-10-86. At the time of his death he had put in 7 years 6 months and 3 days of service. He left behind him his widow, his dependent mother, a son, the applicant in this OA and a minor daughter. The wife of the deceased was paid a sum of Rs.21,745/- as terminal benefits and she is getting pension of Rs.417/- + relief thereon. The applicant applied for compassionate ground appointment for which details were asked for from the MRO concerned. It is stated that the necessary details were supplied to the respondents. But inspite of obtaining necessary information the applicant was not appointed on compassionate ground. However, he was given casual Narrickarrated labour employment as required on the basis of the requirement from time to time considering the indigent circumstances in which the family is placed.

3. This OA is filed praying for a direction to the respondents to provide a suitable post to the applicant on compassionate ground considering his qualification and eligibility and regularisation of his service in accordance with settled principles of law.

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4.   A reply has been filed in this connection. The main contention for rejecting the case of the applicant for compassionate ground appointment is due to the fact that the deceased employee was not a regular employee and no rule exist to grant compassionate ground appointment to the heir of the deceased employee who had worked as un-skilled labour. But some sympathetic consideration had been shown by the respondents by appointing him as a casual narrickarrated labour, considering the fact that the family is in indigent circumstances and there are three more members in addition to the applicant to be looked after.

5.   Under the circumstances, it is a justifiable case to grant some relief to the applicant herein by directing the respondents to give casual labour engagement to the applicant if there is work in future and there is need to engage a casual labour.

6.   In the result, the following direction is given:-

R-2 should consider the case of the applicant for engagement as casual labour in future if there is work and there is need for employment of casual labourer. His case for regularisation may be considered in his turn in future as and when it arises.

7.   The OA is ordered accordingly. No costs.
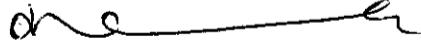
(R.RANGARAJAN)

MEMBER(ADMN.)
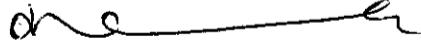
Dated : The 27th June 1996.

(Dictated in Open Court)

SPR

Copy to:-

1. The Flag Officer Commanding-in-Chief, Eastern Naval Command, Naval Base, Visakhapatnam.

2. The Admiral Superintendent, Naval Dockyard, Visakhapatnam.

3. One copy to Sri. S.Kishore, advocate, CAT, Hyd.

4. One copy to Sri. K. Ramloo   Addl. CGSC. CAT. Hyd.

5. One copy to Library. CAT. Hyd.

6. One spare copy.

Rsm/-

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R.RANGARAJAN: M(A)

DATED: 27/6/96

~~ORDER~~/JUDGEMENT

~~O.A.NO./R.A./C.P.No.~~

in

O.A.NO.   1155/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLKR   II COURT

No Spare Copy