

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH  
AT HYDERABAD.

O.A.NO.137 of 1995.

Between Dated: 10.11.1995.

K.B.V.Srinivas Murthy ... Applicant

And

1. The Director of Postal Services, Kurnool.
2. The Superintendent of Postal Offices, Nandyal.
3. The ...
4. The Chief Postmaster General, Hyderabad.

... Respondents

Counsel for the Applicant : Sri. M.Subba Reddy

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

CORAM:

Hon'ble Mr. A.B.Gorthi, Administrative Member

Contd:...2/-

X As per Hon'ble Shri A.B.Gorthi, Member (Admn.) X

\* \* \*

The applicant is the son of Sri K.Hanumath Sastry who worked as Extra Departmental Branch Post Master, Gangavaram village from 1968-89, when he was medically invalidated w.e.f. 7.11.89. Thereafter the applicant was appointed to work as ~~substitutes~~ a substitute to his father. The applicant states that eversince he worked continuously for morethan 5 years but to his surprise he was ordered to handover charge w.e.f. 11.1.95. Aggrieved by the same he has come up with this OA praying that he be continued in the appointment of EDBPM, Gangavaram Village under the scheme of providing appointment on compassionate grounds.

2. The respondents in their reply affidavit stated that the applicant's fathef did not attend to his work on medical grounds and that he was consequently kept off duty w.e.f. 27.11.90. Their contention is that the applicant was provisionally appointed as BPM on 28.11.90. The applicant's father <sup>had</sup> asked to submit an unconditional resignation in 1992 but the later did not do so. Finally respondents issued notification on 18.1.95 for the purpose of regularly appointing an EDBPM at Gangavaram Village.

3. The respondents clarified that they have examined the case of the applicant for appointment on compassionate grounds but did not find it a fit case for appointment as the other 2 sons of the employee were living separately and the only daughter was also married and living separately. The respondents also took into consideration the movable and immovable properties held ~~handled~~ by the applicant's family and ~~came~~ to the <sup>that he</sup> conclusion did not deserve compassionate appointment.

... :..4 :

Copy to:-

1. The Director of Postal Services, Kurnool.
2. The Superintendent of Postal Offices, Nandyal.
3. The Sub Divisional Inspector, Markapur, Prakasam District.
4. The Chief Postmaster General, Hyderabad.
5. One copy to Sri. M. Subba Reddy, advocate, CAT, Hyd.
6. One copy to Sri. N.V. Ramana, Addl. CGSC, CAT, Hyd.
7. One copy to Library, CAT, Hyd.
8. One spare copy.

Rsm/-

Substitution

(.....)  
(.....)

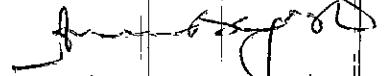
Postman Postmistress  
(.....)

(35)

.. 3 ..

4. Heard learned counsel for both the parties. For the reasons stated in the reply affidavit I am inclined to accept the view of the <sup>respondent</sup> ~~applicant~~ that the case of the applicant did not merit consideration for appointment on compassionate grounds. At the same time there is no dispute that the applicant worked continuously from 1989-95 as EDBPM, Gangavaram Village although as a substitute/on provisional basis. The experience thus gained by the applicant will have to be given weightage ~~in considering the case of the applicant~~ for appointment on regular basis provided ofcourse the applicant responded to the notification which is said to have been issued on 18.1.95. In case the selection process in pursuance of the notification dated 18.1.95 has not been finalised as on today the same shall not be finalised without considering the case of the applicant also. For this purpose the applicant shall have to submit his application form together with all the relevant documents in support of his application within a period of one month from today. The same shall be considered together with the other applications, if any, received. During the process of selection the respondents will have to, as per extant instructions, give due weightage to the experience gained by the applicant provided ofcourse all other things being equal.

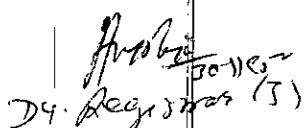
5. 3 O.A is ordered accordingly. No costs.

  
(A.B.GORTHI)

Member (Admn.)

Dated: 10th October, 1995

(Dictated in Open Court)

  
D.Y. Regamas (S)

sd

cm 12 -- 41

00.137.195  
TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

HON'BLE MR. A. B. GORTHI, ADMINISTRATIVE MEMBER.

HON'BLE MR. JUDICIAL MEMBER.

ORDER/JUDGEMENT:

DATED: 10.11.1995.

M.A./R.A./C.A. NO.

IN

O.A. NO.

137 195

T.A. NO. (W.P. NO.)

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALLOWED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

DISMISSED FOR DEFAULT.

ORDERED/REJECTED.

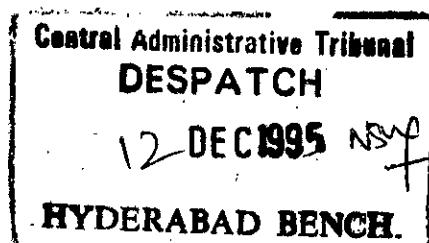
NO ORDER AS TO COSTS.

\* \* \*

Rsm/-

No Spare Copy

83



EO