

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.NO.240 of 1996.

Between

Dated: 23.2.1996.

S.Sreenivasulu

...

Applicant

And

Union of India represented by:

1. The Chief Post Master General, Andhra Pradesh Circle, Hyd.
2. The Post Master General, Southern Region, Krunool.
3. The Superintendent of Post Offices, Hindupur.

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Respondents

Counsel for the Applicant : Sri. K.S.R. Anjaneyulu

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

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

Contd:...2/-

JUDGEMENT

X As per Hon'ble Shri R.Rangarajan, Member (Admn.) X

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The applicant is the son of one Sri Narsimhappa who died in harness in the year 1984 while working as Mail Overseer in Bathalapalli Post Office in Anantapur District. His request for compassionate ground appointment was turned down by the Circle Selection Committee by its order dated 4.2.89. Aggrieved by the above order he filed OA.1/95 impugning the order of Circle Selection Committee and also praying for compassionate ground appointment. That OA was disposed of by an order dated 5.4.95 directing the Circle Selection Committee to reconsider the earlier decision dated 4.2.89 taking into account all relevant aspects in the light of the judgement in that OA. In pursuance of that direction the Circle Selection Committee reconsidered the case of the applicant for compassionate ground appointment and rejected the same by order No.B1/RE/Relax/SN dated 10.11.95 with the following observation:-

"We have taken into account all aspects of the case, as ordered by Hon'ble CAT the purpose behind the scheme is to provide immediate succor to the bereaved family. In this case, the death took place 11 years ago and the family has been able to maintain all those years. There is also a ceiling fixed for all such cases and we have not been able to give appointment in many misc. deserving cases where appointment was approved long back. Hence this case is rejected".

2. Heard Mr.K.S.R.Anjaneyulu, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.
3. This OA is filed impugning the order of the Circle Selection Committee dated 10.11.95 and for a further direction

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to appoint him on compassionate grounds. The observation of the Circle Selection Committee dated 10.11.95 is ~~criticized~~ and the observations are not elaborately touching the points mentioned by him as well as the observations made by this Tribunal in OA.1/95. In cases where the compassionate ground appointment is rejected by the Circle Selection Committee this Tribunal is directing such cases to the highest authority namely Member Personnel Postal Board for reconsideration of the cases and issue orders judiciously. As in this case also the Circle Selection Committee had rejected the prayer of the applicant for compassionate ground appointment twice without giving any speaking order on the basis of the directions given by this Tribunal in OA.1/95, ~~it~~ is proper to ^{remit} send the case to Member Personnel, Postal Board for reconsideration of the issue and pass a suitable speaking order on the basis of the relevant facts of the case and also taking note of various observations made by this Tribunal in OA.1/95. In the result, the CA is ordered as below:-

4. The Member Personnel Postal Board should reconsider the issue of the applicant for compassionate ground appointment on the basis of the relevant facts ~~without~~ giving due cognizance to the observations made by this Tribunal in OA.1/95 and dispose of the case with a speaking order in accordance with the rules within a period of 3 months from the date of receipt of a copy of this order. If the applicant is aggrieved by the reply to be given by the Member Personnel ^{Postal} Board the applicant is free to approach the Tribunal by filing a fresh OA under Section 19 of the AT Act.

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

(R.RANGARAJAN)
Member (Admn.)

Dated: 23rd February. 1996

Anil
T-386
Dy. Registrar (1)

sd

(Dictated in Open Court)

contd--41

29/3/96

OA-240796

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD.

R. Ranga Raju
HON'BLE SHRI A. B. GORTHI : MEMBER(A)

HON'BLE SHRI

DATED: 23/2/96

ORDER/JUDGMENT

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

IN
O.A. NO. 240796

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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