

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

\*\*\*

O.A. 801/96.

Dt. of Decision : 19-09-96.

Mohd. Gesu Baba

.. Applicant.

Vs

1. The Member(Personnel),  
Dept.of Post,Min.of Communications,  
Govt.of India,Dak Bhavan,  
Sansad Marg,New Delhi-1.
2. The Chief Post MasterGeneral,  
A.P.Circle,Hyderabad-1.
3. The Circle Selection Committee,  
C/o the Chief Postmaster General,  
AP Circle,Hyderabad-1.
4. The Supdt. of Post Office,  
Sangareddy Division,Sangareddy,  
Meqak District,AP-502 001. .. Respondents.

Counsel for the Applicant : Mr. T.P.Acharya

Counsel for the Respondents : Mr. K.Bhaskara Rao,Addl.CGSC.

CORAM:

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



ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

Heard Mr.T.F.Acharya, learned counsel for the applicant. ~~None~~ for the respondents.

2. The applicant in this OA is the son of one late Mr.Mohd. Rasool who while working as Postman died on 9-12-86. His mother applied for compassionate ground appointment to her son who is applicant ~~in this OA~~. That was turned down by the Circle Selection Committee by an order dated 20-10-1994 on the ground that "the family has no liabilities and not in indigent circumstances".

3. Aggrieved by the above, he filed OA.No.667/95 on the file of this Bench which was disposed of on 19-02-96 directing the R-1 herein in this OA to consider the case of the applicant herein for compassionate ground appointment taking all the factors into consideration and to advise the applicant in that OA within a period of three months. In pursuance of the above direction, R-1 herein had considered the case of the applicant herein for compassionate ground appointment and rejected the case by the impugned order No.66-29/96-SPB-I dated 30-04-96 (Annexure-III at page-14 of the OA).

4. This OA is filed for setting aside the impugned order dt. 30-04-96 holding it as arbitrary, illegal, unconstitutional and violative of principles of natural justice and for a consequential direction to the respondents to appoint the applicant herein on compassionate ground in the post in which he found eligible.


(19)

5. R-1 herein has gone through the case of the applicant and came to the conclusion that the applicant and his family is not placed in an indigent circumstances warranting compassionate ground appointment to the applicant herein. The reason given is re-produced below:-

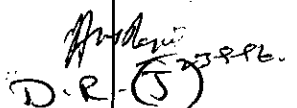
"The Selection Committee has come to the conclusion that the family of the deceased employee is not considered to be in indigent condition especially in view of the fact that there is only one son who is unemployed. Wife of deceased employee is getting family pension. The family had received the admissible terminal benefits. There are no major liabilities like marriageable daughter or education of minor children. The only daughter is already married. The scheme for compassionate appointment is meant to provide immediate relief to the bereaved family of an employee which is in need of immediate assistance. In the instant case, the ex-official died nearly 10 years ago. As such the case of Shri Mohd. Gesu Babu S/o Late Shri Mohd. Rasool for appointment on compassionate grounds cannot be accepted".

From the above extract it is evident that the applicant is a major and he has no sisters for marriage and the wife of the deceased employee is also getting the family pension. In view of the above, I do not see any reason to allow this application. In this connection the Apex Court ~~observed~~ in ~~the~~ reported case in (1994) 27 ATC 537 (Umesh Kumar Nagpal Vs. State of Haryana) had observed that "The Government or the public authority concerned has to examine the financial condition of the family of the deceased, and it is only if it is satisfied, that but for the provision of employment, the family will not be able to meet the crisis that a job is to be offered to the eligible member of the family".

6. In view of the above, I find no merits in this OA. Hence, the OA is dismissed. No costs.

  
(R. RANGARAJAN)  
MEMBER (ADMN.)

Dated : The 19th September 1996.  
(Dictated in Open Court)

  
D.R. (S)

..4..

O.A.NO.801/96

Copy to:

1. The Member (Personnel),  
Dept. of Posts, Min. of Communications,  
Govt. of India, Dak Bhavan,  
Sanzad Marg, New Delhi.
2. The Chief Postmaster General,  
A.P.Circle, Hyderabad,
3. The Circle Selection Committee,  
C/O the Chief Postmaster General,  
A.P.Circle, Hyderabad.
4. The Superintendent of Post Offices,  
Sangareddy Division, Sangareddy,  
Medak District, A.P.,
5. One copy to Mr.T.P.Acharya, Advocate,  
CAT, Hyderabad.
6. One copy to Mr.K.Bhaskara Rao, Addl.CGSC,  
CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One duplicate copy.

YLKR

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Checked By  
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 19/9/96

ORDER/JUDGEMENT  
R.A./C.P./M.A. NO.

in

D.A. NO. 801/96

- 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

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
भेजण / DESPATCH  
- 9 OCT 1996  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH

20