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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.853/96

Date of Order: 18.7.96

BETWEEN :

Kum.M.Vijaya Lakshmi

.. Applicant.

AND

1. The Chief General Manager,
Telecommunications, A.P.Circle,
Abids, Hyderabad.

2. The General Manager,
Telecom Dist., Hyderabad.

3. The Sub Divisional Engineer (Welfare),
O/o.General Manager, Telecom Dist.,
Hyderabad - 33.

.. Respondent.

Counsel for the Applicant

.. Mr.V.Venkateswara Rao

Counsel for the Respondents

.. Mr.K.Ramulu

CORAM:

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

J U D G E M E N T

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Mr.V.Venkateswara Rao, learned counsel for the applicant and Mr.S.Rama Prasad and Ms.Shama for Mr.K.Ramulu, learned standing counsel for the respondents.

2. The applicant in this OA is the daughter of one late Sri M.Pentaiah who expired on 25.11.95 while working as a Technical Supervisor with Staff No.4184 in Gowliguda Exchange, Hyderabad Telecom District. He left behind him his widowed wife, one unmarried daughter who is the applicant in this OA, 2 sons (one of the ^{sons} was employed and living away from the family) and a dependant widowed mother. ~~It is further stated that he had one married daughter and she died earlier to the death of Sri Pentaiah. That married daughter left behind her a minor~~ It is further stated that he had one married daughter and she died earlier to the death of Sri Pentaiah. That married daughter left behind her a minor

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son and a daughter who were brought up by Sri Pentaiah in his house. Thus the applicant submits that she has a very big family to maintain with no assistance from any corner. It is further stated that the family got an amount of Rs.1,30,000/- as a final settlement dues and they were also paid family pension of Rs.2000/- inclusive of relief. The case of the applicant is that with a meagre amount received by her as above it is very difficult to maintain a family. It is stated by the applicant that the form for compassionate ground appointment was supplied to them by the department itself which was filled and submitted by her (A-1). The brothers of the applicant had given no objection letter to appoint the applicant herein on compassionate ground though she is a daughter on the basis that she will maintain the family even after marriage. Circle Selection Committee (High Power Committee) rejected the case of the applicant for compassionate ground appointment vide impugned letter No.TA/STA(R)/13-29/96 dated 4.6.96 (A-4) ^{after} taking due note of the financial position of the family.

3. Aggrieved by the above reply this OA is filed for setting aside the impugned letter No.TA/STA(R)/13-29/96 dated 4.6.96 (A-4) holding it as illegal and arbitrary and for a consequential direction to appoint her on compassionate ground in a suitable post with all consequential benefits.

4. This Tribunal is consistently holding the ^{view} that whenever the compassionate ground appointment is rejected by the Circle Selection Committee the case has to be looked into by the Member Incharge of Personnel Portfolio in the department of Telecom. As in this case ~~the~~ the request for compassionate ground appointment is rejected by the Circle Selection Committee, it is essential to direct the Member Incharge of Personnel to dispose of her representation for compassionate ground appointment in accordance with the rule taking due note of the indigent circumstances in which the applicant is placed and other ^{allied} factors within a short period.

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5. In the result, Member(Personnel) of DOT should dispose of the case of the applicant for compassionate ground appointment in accordance with the rules within a period of 4 months from the date of receipt of a copy of this order.

6. The O.A. is ordered accordingly at the admission stage itself. No costs.

7. Registry should send a copy of this application along with the judgement to Member (Personnel) DOT.

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(R.RANGARAJAN)
Member (Admn.)

Dated: 18th July, 1996

(Dictated in Open Court)

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Ami
26-7-96
D-R (5)

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O.A.NO.853/96

Copy to:

1. The Chief General Manager,
Telecommunications,
A.P.Circle, Abids,
Hyderabad.
2. The General Manager,
Telecom District,
Hyderabad.
3. The Sub Divisional Engineer, (Walfate),
O/O General Manager, Telecom District,
Hyderabad - 33.
4. One copy to Mr.V.Venkateswar Rao, Advocate,
CAT, Hyderabad.
5. One copy to Mr.K.Ramulu, Addl.CGSC,
CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One duplicate copy.

8. one copy to Member (Personnel) D.O.T. with the copy of A.
Sanchar Bhawan, New Delhi - 1.

YLKR

18/7/96

O.A. 853/96

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 18.7.96

ORDER/JUDGEMENT
O.A. NO./R.A./C.P. No.

in

G.A. NO. 853/96

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 Spall Copy

A/w copy go A to the
member (Personnel) D.O.T.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
इसलत/DESPATCH
- 9 AUG 1996
हैदराबाद, तेलंगणा