

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1328/96

Date of Order: 18.11.96

BETWEEN:

Y.Sreenivasulu

.. Applicant.

AND

1. The Member (Personnel),  
Department of Post,  
Ministry of Communications,  
Government of India, Dak Bhavan,  
Sansad Marg, New Delhi-110 001.
2. The Circle Selection Committee,  
C/o. The Chief Post Master General,  
A.P.Circle, Hyderabad- 500 001.
3. The Superintendent of Post Offices,  
Anantapur, Anantapur - 515 001.

.. Respondents.

- - -

Counsel for the Applicant

.. Mr.T.P.Acharya

Counsel for the Respondents

.. Mr.V.Rajeswara Rao

- - -

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

- - -

J U D G E M E N T

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

- - -

Heard Shri T.P.Acharya, learned counsel for the applicant and Mr.V.Rajeswara Rao, learned standing counsel for the respondents.

2. The applicant in this OA is the third son of late Sri Honnurappa who died in harness on 21.6.95 while working as a Postal Assistant. He applied for the compassionate ground appointment which was turned down by the Circle Selection Committee by its order dated 2.5.96. The Circle Selection

Committee took note of the financial position of the applicant and rejected the same as it was found that the applicant was not in indigent circumstances.

3. The applicant filed OA.748/96 challenging the impugned order of the Circle Selection Committee. That OA was disposed of by order dated 28.6.96 directing the Member (Personnel) to dispose of the request of the applicant for compassionate ground appointment in accordance with the rules.

4. The Member Personnel in pursuance of the direction given in OA.748/96 disposed of his representation for compassionate appointment rejecting the same by the impugned order No.66/96-SPB-I, dated 13.8.96 (A-I).

5. This OA is filed challenging the order of Member Personnel dated 13.8.96 (A-1). The Member Personnel in his office memorandum dated 13.8.96 had given detailed reasons for rejecting his application. He had fully considered the financial position of the family as was obtaining at the time of the death of the father of the applicant. The Apex Court has laid down the rule that the financial consideration can <sup>be</sup> one of the reasons which can be taken note of while deciding the compassionate ground appointment. When the highest authority in the Postal <sup>system</sup> ~~authority~~ has looked in this case from <sup>-haul</sup> over all point of view in regard to the financial position of the family, it cannot be said the view taken by him is not in order. To come to the conclusion that the said impugned order is against the rule no material has been produced. The very fact that his brothers are already employed and the mother of the applicant is also getting family pension and the applicant is an able bodied citizen, he cannot ask for compassionate ground appointment ~~x~~ just because he is unable to obtain some appointment elsewhere. This is not a reason for granting him compassionate ground appointment.

*[Handwritten signature]*

*[Handwritten signature]*

.. 3 ..

6. In view of what is stated above, we find no merit in this OA and hence the OA is dismissed at the admission stage itself. No order as to costs.

*[Handwritten Signature]*  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)

*[Handwritten Signature]*  
( R.RANGARAJAN )  
Member (Admn.)

Dated: 18th November, 1996

( Dictated in Open Court )

sd

*[Handwritten Signature]*  
22-11-86.  
D.R. (J)

C.A.NO.1328/96

Copy to:

1. The Member (Personnel),  
Dept. of Posts,  
Min. of Communications,  
Govt. of India, Dak Bhavan,  
Sansad Marg, New Delhi - 110 001.
2. The Circle Selection Committee,  
C/O The Chief Postmaster General,  
A.P.Circle, Hyderabad - 500 001.
3. The Superintendent of Post Offices,  
Ananthapur - 515 001.
4. One copy to Mr.T.P.Acharya, Advocate,  
CAT,Hyderabad.
5. One copy to Mr.W.Rajeswar Rao, Addl.CGSC,  
CAT,Hyderabad.
6. One copy to Library,CAT,Hyderabad.
7. One duplicate copy.

YLKR

(17)

O.A. 1328/96  
18/11/96

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:  
M(J)

DATED: 18/11/96

ORDER/JUDGEMENT

R.A./C.P/M.A.No.

O.A.No. 1328/96<sup>in</sup>

- ADMITTED AND INTERIM DIRECTIONS ISSUED
- ALLOWED
- DISPOSED OF WITH DIRECTIONS
- DISMISSED
- DISMISSED AS WITHDRAWN
- ORDERED/REJECTED
- NO ORDER AS TO COSTS.

II COURT

YLKR

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
दस्तावेज - /DESPATCH  
- 6 DEC 1996  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH