

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.67/97

Date of Order: 21.1.97

BETWEEN :

1. Smt. K.Narasamma X .. Applicants
2. K.M.Murali X

AND

The Commandant,
Military College of EME,
Trimulgherry P.O.
Secunderabad-15. .. Respondent

Counsel for the Applicants ... Mr.C.M.R.Velu

Counsel for the Respondents ... Mr.V.Vinod Kumar

CORAM :

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

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

JUDGEMENT

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

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

Heard Mr.Yogender Singh for Mr.C.M.R.Velu, learned
counsel for the applicant and Mr.Vinod Kumar, learned standing
counsel for the respondents.

2. There are two applicants in this OA. The first applicant
is the wife of late Sri Muthyaloo who died while working as
Cashier in the respondent organisation on 8.11.87. The second
applicant is the son of the applicant. This OA is filed praying
for a direction to consider her case and appoint the second

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applicant in any suitable post on compassionate ground in the respondent organisation by holding that the denial of the prayer by the respondent by the impugned letter dt. 22.11.96 (A-2) is arbitrary.

3. Earlier the applicant filed OA.845/96 which was decided on 18.7.96 for the same relief. That OA was disposed of by directing the respondents to consider her representation dt. 17.8.95 and give a speaking order on the basis of the consideration. In pursuance of the direction respondent authorities had disposed of her representation by the impugned order dt. 22.11.96 rejecting her claim for compassionate ground appointment for reasons stated in that order. We have perused the order. We find from that order that the rejection was on account of the fact that the applicants are not placed in ~~an~~ indigent circumstances warrenting compassionate ground appointment. The first applicant is getting family pension of Rs.475/- p.m. and also she received the final settlement dues of her late husband. It is also seen from the order that her sons ~~were~~ ^{are} already employed and the daughters ~~were~~ ^{are} already married. From the order it can be presumed that the applicant has no encumberances at present to support them. She is receiving family pension though learned counsel for the applicant submits that the family pension is not sufficient and hence it is now in order to deny her compassionate ground appointment. It is a matter of opinion. When the number of families are not even getting this amount they are surviving. Hence the contentions cannot be taken at the face ~~while~~ ^{value}. Further the applicant submits that none of her sons who are otherwise employees ~~are~~ ^{not} helping her. This also may not be a reason to grant compassionate ground appointment. It is upto her to ~~cause~~ ^{cause} them to get some benefit from them. Though the applicant submits that the final settlement amount had been spent for the marriage of the daughter that cannot be a reason to grant compassionate ground appointment. More over

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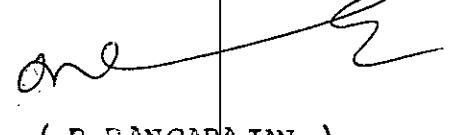
this factor has not been conclusively brought out in the OA. The second applicant is a major and an able-bodies young man who can apply for employment elsewhere. The compassionate ground appointment is not a breeding ground for grant of employment to unemployed youth.

4. In view of what is stated above, we find that the order of the respondent dt. 22.11.96 is well considered one and cannot be challenged. In view of the above the OA is dismissed at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)

Member (Judl.)

21.1.97

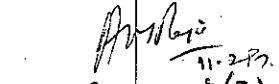

(R.RANGARAJAN)

Member (Admn.)

Dated : 21st January, 1997

(Dictated in Open Court)

sd


D.Y. Registrar (3)

11-2-97

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:

211197

Order/Judgement
R.P/C.P/M.A.NO.

960 NO.

in-
67197

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DE

NET ORDER AS TO COSTS

THE COURT

YI K R

