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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  
X  
2. K.M.Murali X

AND

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

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Counsel for the Applicants ... Mr.C.M.R.Velu  
Counsel for the Respondents .. Mr.V.Vinod Kumar  
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CORAM:

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)  
HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)  
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J U D G E M E N T

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

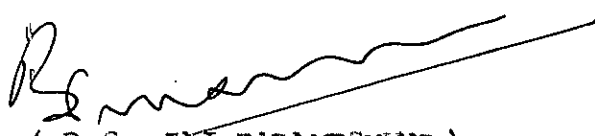
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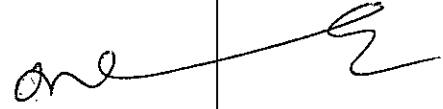
applicant in any suitable post on compassionate ground in the respondent organisation by holding that the denial of the prayer by the respondent by the impugned letter dt. 22.11.96 (A-2) is arbitrary.

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 warranting 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 <sup>are</sup> ~~were~~ already employed and the daughters <sup>are</sup> ~~were~~ already married. From the order it can be presumed that the applicant has no encumbrances 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 not 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 <sup>value</sup> ~~while~~. Further the applicant submits that none of her sons who are otherwise employees <sup>are</sup> ~~are~~ helping her. This ~~is~~ also may not be a reason to grant compassionate ground appointment. It is upto her to <sup>Carry</sup> ~~carry~~ 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

this factor has not been conclusively brought out in the OA. The second applicant is a major and an able-bodied young man who can apply for employment elsewhere. The compassionate ground appointment is not a <sup>breeding</sup> ~~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.

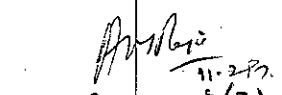
  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)  
21.1.97

  
( R. RANGARAJAN )  
Member (Admn.)

Dated: 21st January, 1997

(Dictated in Open Court)

sd

  
11.2.97  
Dy. Registrar (3)

19/2/97

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:

21/1/97

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

in

67/97

O.A. NO.

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

~~DISMISSED~~

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

~~NO ORDER AS TO COSTS.~~

II COURT

YLKR

