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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

OA No. 803/1997

Date of Decision: 24th July 1997

BETWEEN:

K. Yesuratnam

.. Applicant

AND

1. The Surveyor General of India,
Survey of India,
Dehra Dun,
Uttar Pradesh.

2. The Deputy Surveyor General,
Survey of India,
O/o the Addl. SG, S.T.I.,
Uppal Road,
HYDERABAD - 500 039.

3. The Superintending Surveyor,
Survey of India,
O/o No.36 Party (STI),
Uppal,
Hyderabad - 500 039.

.. Respondents

Counsel for the applicant: Mr. Kalyan Rao Joshi

Counsel for the Respondents: Mr. N.R. Devaraj

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.))

Heard Mr. Kalyan Rao Joshi for the applicant and
Mr. N.R. Devaraj, Sr. Standing Counsel, for the respondents.

2. The grievance of the applicant in this OA is that the case of his compassionate appointment, subsequent to the death of his father, was not considered on the sole ground that the applicant's mother had not stated the reasons for not seeking a suitable appointment in favour of her second son, K. Danaiah. It is mentioned in the impugned order (Survey of India, Office of the 36 Party, Hyderabad, letter

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No.2373/11-G-23/266 Dt.26.11.96) that the application submitted by the mother of the applicant could not be processed for the same reason . On receipt of this communication the applicant's mother promptly submitted a representation on 20.11.1996, which remains to be disposed of yet.

3. Mr. Devaraj opposes the OA on the grounds that -

- (a) The family is not shown to be in indigent circumstances.
- (b) The applicant was major even at the time of his father's death and has approached the authorities for a suitable job after a considerable delay; and
- (c) the second son refused a suitable appointment due to his own reasons, thereby apparently creating a calculated opportunity to the present applicant for seeking a job.

4. Under these circumstances, the standing counsel submitted that there is no ground for admitting this OA as there are no acceptable reasons for compassionate appointment to be offered to the applicant in this OA.

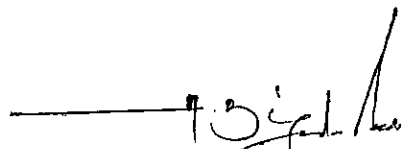
5. It is seen that the first son (Applicant's eldest brother) of late Sri Yesu Padam was employed in the normal course even during his father's service. The second son is stated to be not willing to take up a job under the respondents. The only remaining ^{unemployed} son has now offered his candidature. It is felt that it would be fair and logical if the Respondents, without straightaway rejecting the application on ^{the} ground stated, were to instead examine the case as per the rules and provisions of the relevant scheme based on a proper verification of the financial and other factors relating to the family of the deceased and ascertain the present state of the household.

Dr. 24/7

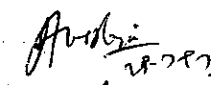
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6. For this purpose it is felt too that a responsible official should be deputed to inquire the present state of indigence/distress of the family on which basis a suitable decision could be taken thereafter. This shall be done within 6 months from the date of receipt of this order. Suitable action/decision may be taken on merits and communicated to the applicant within the period indicated.

Thus the OA is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMIN.)

Date: 24th July 1997


Deputy Registrar (D) ce

KSM

O.A.803/97.

To

1. The Surveyor General of India,
Survey of India, Dehra Dun,
Uttar Pradesh.
2. The Deputy Surveyor General,
Survey of India, O/o the Addl.SC.S.T.I.,
Uppal Road, Hyderabad-39.
3. The Superintending Surveyor,
Survey of India, O/o No.36, Party(STI)
Uppal, Hyderabad-39.
4. One copy to Mr.Kalyan Rao Joshi, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.-AT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm.

24/7/97

T. COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

TYPED BY _____ CHECKED BY _____

COMPARED BY _____ APPROVED BY _____

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)

Dated: 24-7-1997

ORDER/JUDGMENT

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

in

O.A.No.

803/97

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm

