

A/X/25

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH HYDERABAD

M.A.NO. 33 of 1996 in C.A.1075 of 1995.

Between

Dated: 15.3.1996.

R.Kausalya

Applicant

And

1. Union of India, Rep by its Secretary, Ministry of Agriculture, Dept of Agriculture and Co-operation, Krishi Bhavan, New Delhi.
2. The Directorate of Seeds Development, Ministry of Agriculture, Department of Agriculture, and Co-operation, Telhan Bhavan, Himayatnagar, Hyd.

...

Respondents

Counsel for the Applicant

: Sri. K.K.Chakravarthy

Counsel for the Respondents

: Sri. N.V.Ramana, Addl. CAGC.

CORAM:

Hon'ble Mr. R.Rangarajan, Administrative Member

R/V

Contd:...2/-

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

O.A. NO. 1461 of 1997

Date of Decision: 29.12.1997

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Between:

S. Arjun Kumar .. Applicant

AND

1. Union of India, rep. by its Secretary, Ministry of Agriculture, Krishi Bhavan, New Delhi.
2. The Directorate of Oil Seeds Development, Ministry of Agriculture, Department of Agriculture and Co-operation, Telhan Bhavan, Himayathnagar, Hyderabad.

.. Respondents.

Counsel for the applicant: Mr. K. Phani Raj

Counsel for the Respondents: Mr. V. Vinod Kumar

CORAM:

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

ORDER

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

1. Heard Mr. Phaniraj and Mr. Vinodkumar for the Applicant and Respondents, respectively.
2. The father of the applicant passed away in August, 1994. At the time of his demise he was employed as Duftry in the Directorate of Oil Seeds, i.e., in the office of Respondent-2. The deceased employee's widow has been requesting the authorities for appointment of the applicant in a suitable Group-D post on compassionate grounds. In December, 1995, Respondent-2

On  
b/s  
below

wrote to the applicant's mother that owing to re-organization of Crops Directorates, including the Oil Seeds Development Directorate, there came about a considerable reduction in the Group-D strength owing to which no vacancies were available for the applicant's absorption. Mr. Vinod Kumar submits on behalf of the respondents that the applicant's father passed away barely 2 years prior to his scheduled retirement on super-annuation, and secondly that the family had received sufficient help by way of grant of terminal benefits due to the deceased employee, besides a family pension. The second ground of rejection, as now stated by the learned counsel, is not regarded valid, as the quantum grant of due pensionary/terminal benefits to an employee or his survivors in the family, cannot constitute a bar to employment on compassionate basis in suitable cases.

3. Be that as it may, a letter was recently received by Respondent-2 from Respondent-1 to the effect that the case of the applicant would be considered as and when a vacancy arises in future in Group-D cadres.

4. On this optimistic note, the OA is disposed of with an additional observation that the consideration of the applicant's appointment on compassionate ground need not necessarily be restricted to the office of the Second Respondent alone. Now that the Ministry have themselves taken note of the applicant's claim, it would be entirely equitable on their part if the request of the applicant is duly considered for appointment in a suitable post in any of the offices or organizations under the Ministry within Hyderabad city. This is suggested in order that the consideration of the applicant's request may not get inordinately delayed for want of vacancy only in the office of the Respondent-2

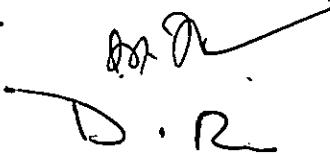
- 3 -

After the justification of the applicant's request has been considered and conceded by the Ministry, it should be possible for them to consider his case against any vacancy that may arise in any of the local offices under the Ministry. This may be examined and a decision taken within six months if possible, or within nine months in any case.

Thus the OA is disposed of.

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMN.)

Date: 29th December, 1997  
Dictated in the open court

  
D. R.

KSM

OA.1461/97

Copy to:-

1. The Secretary, Ministry of Agriculture, Krishi Bhavan, New Delhi.
2. The Directorate of Oil Seeds Development, Ministry of Agriculture, Department of Agriculture and Co-Operation, Telhan Bhavan, Himayathnagar, Hyderabad.
3. One copy to Mr. K. Phani Raj, Advocate, CAT., Hyd.
4. One copy to Mr. V. Vinod Kumar, Addl. CGSC., CAT., Hyd.
5. One copy to MHRP M(A), CAT., Hyd.
6. One copy to D.R. (A), CAT., Hyd.
7. One duplicate.

srr

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TYPED BY  
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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: 29-12-1997

ORDER/JUDGMENT:

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

O.A.No. 1461/97  
T.A.No. in

O.W.P

Admitted and Interim directions  
Issued.

Allowed

Disposed of with direction

Dismissed.

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

