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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA. No. 1112/99

Date of Order: 7-2-2000

Between:

P. Narasimha Reddy ... Applicant

and

1. Union of India, rep. by
The Chief Postmaster-General,
Andhra Pradesh Circle,
Hyderabad-500 001.

2. The Postmaster-General,
Hyderabad Region,
Hyderabad-500 001.

3. The Superintendent of Post Offices,
Vanapathy Division,
Vanapathy 509 103.

... Respondents

Counsel for the Applicant : Mr. Y. Appala Raju, Advocate

Counsel for the Respondents: Mr. M. C. Jacob, Addl. CGSC

CORAM:

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

...

Order

Heard Mr. Y. Appala Raju, learned counsel for the applicant and the learned counsel Ms. Padma Priya for Mr. M. C. Jacob, standing counsel for Respondents.

2. The applicant herein is the son of P. Bal Reddy ^{who} and was working as ED BPM, Ganyagula EO80 under Peddakothapally SO, Vanapathy Postal Division and who died on 14.2.1997 in harness.

3. In the first instance, widow of the deceased employee submitted a representation dt. 15.3.99 requesting respondent authorities to provide appointment on Compassionate Grounds to the applicant. It is to be noted that at that time the applicant had not passed SSC examination. The wife of the applicant requested the respondent authorities for relaxation

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in the educational qualifications ^{and} to allow 2 years time to enable her son to complete the SSC examination. The said representation is yet to be disposed.

4. In the meanwhile, the respondent authorities issued open notification dt.4.3.99 inviting applications from eligible candidates to fill up the post on regular basis.

5. The applicant ^{has} approached this Tribunal challenging the notification dt.4.3.99 and for a consequential direction to reconsider the case of the applicant for appointment on compassionate ground as he has now acquired necessary qualification for the post of ED BPM.

6. By interim order dt.29.7.99 it was made clear that if the appointment in question ^{was to be} made during the pendency of the OA the same should be subject to the result of this OA.

7. On 15.6.99 the applicant submitted a representation stating that he has necessary qualification for the post of ED BPM. A copy of the representation is at Annexure-10 to the OA.

8. The respondents have filed a reply wherein they submitted that in response to the impugned notification dt. 4.3.99, 17 applications were received and all the applications were verified on 12.6.99 and regular selection to the post of ED has been finalised on 21.7.99 selecting a meritorious candidate. However they submit that in view of the interim order, no letter of appointment has been issued to the meritorious candidate.

9. The learned counsel for the applicant during the course of his arguments relying upon ^{Letter dtd} 5.8.93 which ^{has} been reiterated in the letter dt.30.7.99 ^{of the Directorate (Ex R1)} and a copy of which is at Annexure R-1, that the respondent authorities must have disposed of his application for appointment on compassionate ground before taking steps to fill up the post by a regular candidate.

Further he submits that even before the impugned notification was issued the applicant had approached the authorities for providing appointment to the dependents of the deceased BPM.

10. As the applicant is now qualified for the post of ED BPM he has submitted a representation dt.15.6.99 and I feel it appropriate to direct the respondent authorities not to process the notification dt.4.3.99 till his representation is considered and he is informed of the result.

11. (a) If the respondent authorities consider the case of Ganyagula BO. the applicant for the post of ED BPM on Compassionate grounds then there is no need for the respondents to process further the notification dt.4.3.99.

(b) In case the respondent authorities are to offer ED BPM post to the applicant on compassionate ground at any other BO otherthan Ganyagula BO. then they may proceed with the notification.

(c) However the respondent authorities shall not finalise the notification dt.4.3.99 till they consider and dispose of the representation dt.15.6.99 of the applicant.

(d) Time for compliance is 2 months from the date of receipt of copy of this order.

12. With the above directions the OA is disposed of accordingly.
No costs.

B. S. Jai Parameshwar

 7.2.00
 (B.S.Jai Parameshwar)
 Member (Judl.)

'SA'

Dated: 7th February, 2000
 (Dictated in the open court)

Amr

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

~~1ST AND 2ND COURT~~

COPY TO:

1. HON. J
2. HRRN M (ADMN.)
3. HBSJP M (JUDL.)
4. D.R. A (ADMN.)
5. SPARE ✓
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY
COMPIRED BY

CHECKED BY
APPROVED BY

THE HON'BLE MR. JUSTICE D.H.NASIR
VICE CHAIRMAN

THE HON'BLE MR. R. PANGARAJAN
MEMBER (ADMN.)

THE HON'BLE MR. B. S. JAI PARAMESWAR
MEMBER (JUDL.) ✓

* * *

DATE OF ORDER: 7/2/2001

~~MA/RA/CP.NO.~~

IN

OA. NO. 112/99.

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

CP. CLOSED

RA. CLOSED

(8 copies)

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

फेद्रोय प्रशासनिक अधिकरण
Central Administrative Tribunal
ప్రాప్తి / DESPATCH

- 6 MAR 2001

హైదరాబాద న్యాయాలిటీ
HYDERABAD BENCH