

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.No.28/99

Date of Order: 16-8-99

Between:

B.Narasimlu

... Applicant

And

1. The Sub-Divisional Inspector (Posts),
Adilabad Sub-Division, Adilabad.
2. The Superintendent of Post Offices,
Adilabad Division, Adilabad.

... Respondents

Counsel for the Applicant - Mr.S.Ramakrishna Rao

Counsel for the Respondents - Mr.B.Narasimha Sharma, Sr.CGSC

CORAM:

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

...

Order

Heard the learned counsel Mr.S.Ramakrishna Rao for the applicant and the learned counsel Mr.M.C.Jacob for Mr.B.Narasimha Sharma, learned senior standing counsel for Respondents.

2. The 1st respondents have issued a notification No.PF/ED PACKET Adb.Colt, dt.1.12.1998 calling for applications from eligible candidates to fill-up the vacancies on regular basis pending the case of the applicant for compassionate appointment before the Circle Selection Committee. The applicant further submits that the respondents should be directed to appoint the applicant on compassionate grounds on regular basis as the applicant's father Sri B.Narasimha had worked as ED/MC Adilabad Collectorate Post Office for 26 years. While so, he seriously fell ill and was bed ridden in 1997. He was allowed to retire on medical invalidation

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though he had about 10 more years of service still to go. Accordingly he retired from service on 1-7-1997.

3. It is on account of the post falling vacant by the retirement of the applicant's father that he is claiming appointment on compassionate grounds. However, the learned standing counsel for respondents submitted that the compassionate appointment was not available to those persons whose relative had retired on medical grounds. For this purpose, he drew my attention to para 9.1 of the affidavit which categorically states that as per DG(P) letter No.14-25/91-ED & Trg, dt. 29.5.92 & 5.8.93 and 17-85/93-ED & Trg., dt.2.2.94 there is no provision for appointment of wards of EDAs who retired on invalidation for compassionate appointment.

4. In view of what is stated above, the applicant has no right to be appointed on compassionate ground and hence this OA deserves to be dismissed and it is hereby dismissed. No costs.

D.H. Nasir
(JUSTICE D.H.NASIR)
Vice-Chairman

Dated: 16th August, 1999
'SA' (order dictated in the open court)

Justice