

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00275/2016
with
MISC. APPLICATION NO. 291/00545/2016

DATE OF ORDER: 05.12.2016

CORAM

HON'BLE MR. JUSTICE PERMOD KOHLI, CHAIRMAN
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER

Nalini Baptist D/o late Shri Lalit Raphael @ Lalit Baptist, aged about 39 years, R/o House No. 26, Alakhananda Colony, Adarsh Nagar, Near Railway Station, Ajmer. Late Shri Lalit Raphael was posted as Sub Post Master in Postal Deptt. at H.O. Ajmer

....Applicant
Mr. Ankur Rastogi, counsel for applicant.

VERSUS

1. Union of India through its Secretary, Post and Telegraph Department, Government of India, New Delhi.
2. The Sr. Superintendent, Post Office Ajmer, Dn. Ajmer – 305001.

....Respondents
ORDER (Oral)

Father of the applicant was serving as Sub Postmaster at Head Office, Ajmer. He died in harness on 09.09.1999. The applicant who is daughter of the deceased employee applied for her appointment on compassionate grounds. The claim of the applicant was, however, rejected vide impugned communication dated 15th March, 2016 whereby the advocate of the applicant has been informed that earlier applicant's sister namely Smt. Alka daughter of the deceased employee applied for appointment under relaxation of recruitment rules of compassionate grounds, which was considered by the Circle Relaxation Committee at Jaipur and rejected the same on 20.03.2001. The said rejection order has been placed on record by the counsel for applicant today during the course of the hearing.



2. We have carefully perused the order of the rejection. The aforesaid order, which is in fact dated 21st March, 2001, reveals that the applicant's sister Alka had applied for compassionate appointment seeking the relaxation of the recruitment rules. Her claim was rejected on two counts, one that the such appointment can be provided only to fill up vacancies upto 5% that arises for direct recruitment and there is no vacancy available, and secondly that there are candidates on the waiting list since 1996.

3. Admittedly, the applicant's father died in the year 1999. Her sister's request for compassionate appointment was rejected in 2001. The said rejection order was never assailed. It is more than 16 years now since the death of the deceased employee. It is well settled law that compassionate appointment is not a source of recruitment or appointment. The very object and purpose of the compassionate appointment is to enable the family of the deceased Govt. employee to overcome the penury and immediate financial crisis. Admittedly, the family has survived for a period of more than 16 years by now. In any case, the claim of the applicant's sister for appointment on compassionate grounds stood rejected in 2001. No new facts have been brought on record. For the above reasons, we do not find any valid ground to give the relief to the applicant. Therefore, the Original Application as well as Misc. Application are dismissed.


(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(JUSTICE PERMOD KOHLI)
CHAIRMAN