

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A. No. 107 of 1997

DATE OF DECISION..... 14.7.1999

Shri Pratap Ch Barman

(PETITIONER(S))

Mr P.J. Saikia and Mr N.K. Baruah

ADVOCATE FOR THE
PETITIONER(S).

-VERSUS-

Union of India and others

RESPONDENT(S)

Mr A. Deb Roy, Sr. C.G.S.C.

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.107 of 1997

Date of decision: This the 14th day of July 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri Pratap Ch Barman,
Resident of Village Kumarpata,
P.O. Puthimari, District Kamrup,
Assam.

.....Applicant

By Advocates Mr P.J. Saikia and Mr N.K. Baruah.

- versus -

1. The Union of India, represented by the
Secretary to the Postal Department,
New Delhi.

2. The Director of Postal Service(S),
Assam Circle, Guwahati.

3. The Chief Postmaster General,
Assam Circle, Guwahati.

4. The Senior Superintendent of Post Office,
Guwahati Division,
Guwahati.

.....Respondents

By Advocate Mr A. Deb Roy, Sr. C.G.S.C.

.....
O R D E R

BARUAH.J. (v.C.)

In this application the applicant is seeking for certain directions to the respondents.

2. The facts are:

The applicant's father, J.C. Barman, was working as Extra Departmental Branch Post Master at Puthimari Branch Office in the District of Kamrup. He took retirement on the ground of invalidation with effect from 12.1.1996. Thereafter, he submitted an application for appointment of one of his sons on the basis of the



guidelines issued by the Government of India, Department of Posts letter No.14-25/91-ED and Trg. dated 16.12.1991.

As per clause (4) of the said circular one eligible dependants of the deceased/invalidated Extra-Departmental Agents should be given compassionate appointment to render immediate financial assistance to the family which has been left in indigent circumstances. The applicant was willing to get such appointment and accordingly he submitted an application before the authority. However, no appointment was granted to him. Hence the present application.

3. In due course the respondents have entered appearance and filed written statement. In the written statement the respondents have stated that one of the brothers of the applicant was already appointed. However, this fact has been denied by the applicant.

4. We have heard Mr P.J. Saikia, learned counsel for the applicant and Mr A. Deb Roy, learned Sr. C.G.S.c.

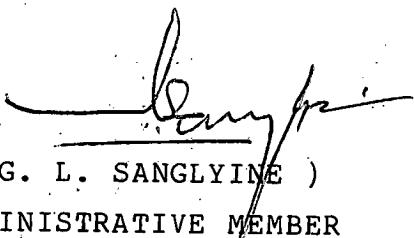
5. On hearing the learned counsel for the parties we are of the view that there is a dispute so far the facts are concerned. On such disputed facts it is not possible for this Tribunal to decide the matter. The representation filed by the applicant has not been disposed of. In that view of the matter we dispose of this application with direction to the respondents to consider and dispose of the representation filed by the applicant as early as possible, at any rate within a period of two months from the date of receipt of this order. While disposing of the representation, they shall scrutinise the fact whether one of the brothers of

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: 3 :

the applicant was appointed on compassionate ground. If no such appointment was made then necessary orders of appointment shall be given to the applicant within three months.

6. The application is accordingly disposed of. No order as to costs.


(G. L. SANGLYINE)

ADMINISTRATIVE MEMBER


(D. N. BARUAH)

VICE-CHAIRMAN

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