

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, CIRCUIT CAMP AT GWALIOR

Original Application No. 842 of 2002

Gwalior, this the 25th day of August 2004

Hon'ble Mr. M.P. Singh, Vice Chairman  
Hon'ble Mr. A.K. Bhatnagar, Judicial Member

Roop Singh S/o Shri Bhujwal Singh,  
aged 52 years, occupation Retired  
Post Group D(Mail Sahayak), resident  
of Jalalpura, Tehsil Lahar, District  
Bhind(M.P.)

APPLICANT

(By Advocate - Shri V.S. Chouhan )

VERSUS

1. Secretary to the Govt. of India &  
Director General, Post  
Department of Post, Ministry of  
Communications, Dak Bhawan, Sansad  
Marg, New Delhi-1
2. Head Post Master General,  
Hoshangabad Road, Bhopal.
3. Superintendent of Post,  
Chambal Division, Morena.
4. Sub Divisional Inspector,  
Postal Sub Division, Sheopur.

RESPONDENTS

(By Advocate - Shri P.N. Kelkar)

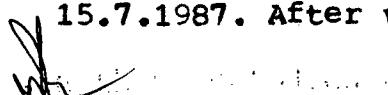
ORDER (Oral)

By M.P. Singh, Vice Chairman -

By filing this OA, the applicant has sought the  
following main reliefs :-

"(i) That, the impugned order of retirement of the  
applicant i.e. Annexure-A/1 is silent about the  
pension and other benefits payable to the applicant.  
The respondents be directed to pay pension and other  
benefits may kindly be payable to the applicant or  
he may be taken in service again or his wife  
may be given some job in department to pass such  
other further order as it may deem fit and necessary  
in the interest of justice."

2. The brief facts of the case are that the applicant  
was working as Branch Post Master, Jalalpur (Aswar) District  
Bhind from 1968 to 1987. Thereafter he was appointed as  
a regular Group-D official vide order dated 8.4.1987 and  
he joined as Group-D employee at Sub Post Office, Veerpur on  
15.7.1987. After working till 20.7.1987 he absented himself



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without obtaining any permission or grant of leave.

On 3.6.1993 the applicant submitted an application opting for invalid retirement on the ground of blindness.

Accordingly, vide order dated 22.8.1994(Annexure-A-1) he was retired from service on the ground of medical unfitness. Thereafter the applicant submitted representations to various authorities for grant of pension and other benefits, but the respondents have not given any reply. Hence he has filed this OA, claiming the aforementioned reliefs.

3. We have heard the learned counsel for the parties and carefully perused the record.

4. We find that the applicant has put in only one month and 26 days, as is evident from the letter dated 23rd May, 1996(Annexure-A-13) issued by the Secretary to Govt. of India, and the Director General Posts, addressed to Dr. Govind Singh, Member of Legislative Assembly, Bhind Madhya Pradesh. It has been stated in the said letter that the applicant had been retired on the ground of physical disability, with effect from 22.8.1994. It has been further stated in the said letter that since the applicant had worked only for one month and 26 days, as per rules he is not entitled for any pension.

4.1 In view of the aforesaid, since the matter has already been decided at the level of the Secretary to Govt. of India, and it has been found that the applicant is not entitled for any pension, we do not find any merit in the claim of the applicant for grant of pension and other retirement benefits.

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5. We also find that the applicant is also seeking a direction to grant compassionate appointment to his wife. The applicant was retired in the year 1994 and the present OA has been filed in the year 2002. The instructions contained for grant of compassionate appointment provide that such appointments are made only with a view to render the immediate financial assistance to mitigate the hardship due to death of bread earner in the family. In this case the applicant retired 10 years back and he has been managing till now. Therefore, we cannot give any direction to the respondents for appointment of his wife on compassionate grounds.

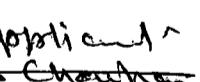
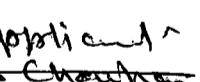
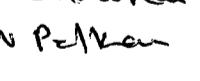
6. In the result, for the reasons stated above, we do not find any merit in this OA and the same is accordingly dismissed, however, without any order as to costs.

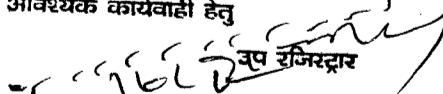
  
(A.K.Bhatnagar)  
Judicial Member

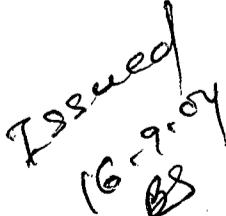
  
(M.P.Singh)  
Vice Chairman

rkv.

प्रसांकन सं ओ/न्या.....जबलपुर, दि.....  
पतिलिपि अच्ये दिन:-

(1) राधिक, उच्च न्यायालय लार एमोरिएशन, जबलपुर  applicant  
(2) आवेदक श्री/श्रीमती/यु. ....के काउंसल  ~~W. Chaturvedi~~  
(3) पत्तपरी श्री/श्रीमती/यु. ....के काउंसल  P.N. Patkar  
(4) धारपाल, ठेपा. जबलपुर न्यायपीठ  
सूचना एवं आवश्यक कार्यवाही हेतु

 उप सचिव

 Issued  
on 16.9.04  
On 16.9.04