

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 09th day of August, 2010

ORIGINAL APPLICATION NO. 369/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER

Surendra Kumar Meena son of Shri Rohitas Kumar Meena by caste Meena, aged about 23 years, resident of Village Bueha-Heda Post Kotputli, District Jaipur.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Senior Superintendent Post Offices, 'M' Dn. Jaipur, Shastri Nagar, Jaipur.

.....Respondents

(By Advocate: -----)

ORDER (ORAL)

The applicant has filed this OA thereby praying that directions may be issued to respondent no. 2, Chief Postmaster General, Rajasthan Circle, Jaipur, to take favourable decision on the application of the applicant, which has been forwarded by the Superintendent of Post Offices vide letter dated 17.12.2009.

2. In sum & substance, the case of the applicant is that his father stood voluntary retired on medical grounds under Rule 38 of Central Civil Services (Pension) Rules, 1972. In view of the policy decision taken by the respondents vide Annexure A/2, the applicant is entitled for compassionate appointment. It is further stated that a legal notice

was also issued to the respondents and in compliance thereof vide Annexure A/1, the advocate of the applicant was informed that applicant's case for giving him appointment on compassionate grounds has been forwarded to respondent no. 2 for necessary action.

3. I have hard learned counsel for the applicant at admission stage. I am of the view that the matter can be disposed of at admission stage with a direction to respondent no. 2 to take decision on the application of the applicant to give him appointment on compassionate grounds. Accordingly, respondent no. 2 is directed to take decision on the application of the applicant for giving him appointment on compassionate grounds within three months from today by passing a reasoned & speaking order in accordance with law. It is, however, made clear that this Tribunal has not gone into merit of the case and the case is being disposed of solely on the ground that the application of the applicant for giving him appointment on ^{compassionate} grounds is pending for consideration before respondent no. 2. Needless to add that in case the decision to be taken by respondent no. 2 is adverse, it will be open for the applicant to file substantive OA for the same cause of action thereby challenging the order.

4. With these observations, the OA is disposed of at admission stage with no order as to costs.


(M.L. CHAUHAN)
MEMBER (J)

AHQ