

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00166/2018

Dated Friday the 9th day of February Two Thousand Eighteen

PRESENT

HON'BLE SMT. B. BHAMATHI, Member (A)

M.Vijayakumar,
Son of late A. Maruthai,
No.4, TVM Nagar,
Virattipathu,
Madurai 16.Applicant

By Advocate M/s. R. Jayaprakash

Vs

- 1.Union of India,
rep by the Director (Staff) Ministry of Communications,
Department of Posts,
Dak Bhavan,
Sansad Marg,
New Delhi 110001.
- 2.The Director of Postal Services,
Head Quarters,
O/o. The Principal Chief Postmaster General,
Tamil Nadu Circle,
Chennai 600002.
- 3.The Superintendent of Post Offices,
Theni Division,
Theni 625531.Respondents

By Advocate Mr. K. Rajendran

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“a. To direct the 2nd respondent to appoint the applicant on compassionate appointment pursuant to his letter in No. REP/34-01/2015 dated 07.02.2017 within a timeframe as stipulated by this Hon'ble Tribunal.

b. pass such further or other orders as this court deem fit and proper and render justice.”

2. Learned counsel for applicant submits that the applicant had earlier approached this Tribunal in MA 224/2014 for condonation of delay in filing the original application which was dismissed for non-prosecution by order dt. 25.06.2015. Thereafter, he filed MAs 778 & 779/2016 for condonation of delay and restoration of MA 224/2014 respectively. This Tribunal passed an order dt. 07.12.2016 as follows:

“From the above, it is clear that eventhough the applicant's case has been rejected for granting compassionate appointment, his application can be considered without any time limit subject to the merit of his case in future. Hence we feel that since the applicant's case will be considered in due course for future vacancy for compassionate appointment, this Court need not restore the MAs and accordingly all the MAs are dismissed as indicated above. No order as to costs.”

3. Pursuant to the aforesaid order of this Tribunal, a communication dt. 07.02.2017 from the respondent department was sent to the applicant stating that his case would be examined on merit in the next CRC meeting along with other cases against the 5% DR vacancies of subsequent years, as per DOPT OM dt. 26.07.2012. It is further stated that since the matter of compassionate appointment is subjudice before the Hon'ble Madras due to court cases, the CRC

meeting would be convened only after the completion of the judicial process and the result of CRC would be intimated to the applicant through the Divisional Head concerned. It is submitted that the applicant has received no communication regarding the CRC meeting till date. Hence the applicant has filed this OA.

4. Learned counsel for the applicant submits that the applicant would be satisfied if the 2nd respondent is directed to communicate to him the present status regarding the holding of CRC meeting.

5. Mr. K. Rajendran takes notice for the respondents.

6. Considering the submission of the learned counsel for applicant and to meet the ends of justice, without going into the substantive merits of the case, I deem it appropriate to direct the 2nd respondent to communicate to the applicant the present status as well as the recent developments with regard to the next CRC meeting to be held within a period of two weeks from the date of receipt of certified copy of this order.

7. OA is disposed of with the above direction at the admission stage.

(B. Bhamathi)
Member(A)
09.02.2018

SKSI