

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A. No. 260/00972 of 2016

Cuttack this the 17th Day of January, 2017

**CORAM
HON'BLE SHRI R.C. MISRA, MEMBER(A)**

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1. Pabitra Kumar Sethy, aged about 26 years, S/o Late Fakir Charan Sethy, At. Kunarpur, P.O. Bhera, PS. Mahanga, Via-Mouda, Dist. Cuttack.
2. Pratima Sethy, W/o of Late Fakira Charan Sethy, At. Kunarpur, P.O. Bhera, PS. Mahanga, Via-Mouda, Dist. Cuttack.

..... Applicants.

By the Advocate(s)-M/s. K. Mishra, D. N. Sahoo

-VERSUS-

Union of India, represented through

1. Secretary, Department of Posts, New Delhi.
2. Chief Post Master General, Odisha Circle, Bhubaneswar-751001, Dist- Khurda.
3. Superintendent of Post Offices, Cuttack South Division, Cuttack-753001.

..... Respondents

By the Advocate(s)- Mr. T. Rath.

ORDER(Oral)

R.C. MISRA, MEMBER(A):

Heard Mr. K. Mishra, Ld. Counsel appearing for the applicant and Mr. A.K. Mohapatra, Ld. ACGSC appearing for the Respondents on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. By filing M.A. No.813/2016 Mr. Mishra has submitted that this O.A. has been filed jointly by the Son and the Wife of Late Fakir Charan Sethy who was a GDS employee of Bhera, B.O. in which a prayer has been made to allow the M.A. No.813/2016 for joint prosecution of this O.A. Accordingly, M.A. No.813/2016 is allowed and thus disposed of.

3. The facts of the case are that Late Fakir Charan Sethy who was a GDS employee of Bhera, B.O. had expired on 27.09.2013. The applicants submitted representations before the Respondents-Department for award of compassionate appointment in accordance with rehabilitation assistance

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scheme for the wards of GDS employee of the Postal Department. They also claim that they have submitted all the required papers to the authorities. The applicant No.2 who is the widow of Late Fakir Charan Sethy submitted an application for giving compassionate appointment to her son i.e., applicant No.1 of this O.A. on 07.10.2014 to CPMG, Odisha, Bhubaneswar (Respondent No.2) a copy of which has also been enclosed to this O.A. at Annexure-A/11 series. It is further pointed out that on 13.10.2014 the Assistant Director in the Office of the CPMG, Odisha, Bhubaneswar had sent a communication to the SPOs, Cuttack North Division on the basis of the representation dated 07.10.2014 and had directed the SPOs Cuttack North Division to look into the matter and take necessary immediate action to consider the representation of the applicants. It is further seen that thereafter the SPOs Cuttack North Division has not sent any further report to the Office of the CPMG, Odisha, Bhubaneswar. Therefore, there was no further progress regarding the process of the representation. After waiting for some time the applicants also represented again to the CPMG, Odisha, Bhubaneswar and the SPO, Cuttack South Division on 11.03.2015. It is also noticed that the applicants have also made a representation to the Assistant Director (C.R.C.C.), Office of the CPMG, Odisha, Bhubaneswar on 06.04.2016. The submission of Ld. Counsel is that in spite of several representations there has been no progress with regard to the processing of application for compassionate appointment.

4. On perusal of documents I also wonder as to how the SPOs Cuttack North Division has not responded to the letter of the Asst. Director (CRC), Office of the CPMG, Odisha, Bhubaneswar dated 13.10.2014 even after a lapse of more than two years. From the perusal of the documents, prima

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facie, it appears that the authority has not shown any sincerity for disposal of the representation of the applicants with regard to compassionate appointment. If such matters are kept pending for years at various levels, it would certainly defeat the purpose of compassionate appointment to tide over the sudden crisis due to the death of the breadwinner in the family. Since I do not know the present status of the representation and whether the authorities have considered and come to a decision with regard to this matter, at this stage without going into the merit of the matter, I dispose of this O.A. by directing Respondent Nos.2 & 3 to consider the aforesaid representations if at all filed and is still pending consideration, in the light of the extant guidelines regarding the scheme of compassionate appointment and take a decision on the subject and communicate the result thereof to the applicant by way of a well-reasoned order within a period of three months from the date of receipt of a copy of this order.

5. With the aforesaid observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

6. On the prayer made by Mr. K. Mishra, Ld. Counsel appearing for the applicant, copy of this order along with paper book be communicated to the Respondent Nos.2 & 3 by Speed Post at the cost of the applicant, for which Mr. Mishra undertakes to file the postal requisites by 19.01.2017.

(R.C.MISRA)
MEMBER(A)

K.B.

