

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

Original Application No. 332/00032/2017

This, the 29th day of May, 2018

Hon'ble Mr. Justice V.C. Gupta, Member (Judicial)

1. Smt. Kamlesh Devi, aged about 52 years, widow of Late Shri Arjun Singh, Resident of- Village & Post-Puraini, Bijnor.
2. Trivendra Kumar, aged about 21 years, son of Late Shri Arjun Singh, Resident of- Village & Post-Puraini, Bijnor.

.....Applicant

By Advocate : Sri Praveen Kumar.

Versus

1. The Union of India through the Chief Post Master General, UP Region, Lucknow.
2. The Director, Postal Services, Lucknow.
3. The Assistant Director (Recruitment), CPMG Office, UP Region, Lucknow.
4. The Senior Superintendent of Post Offices, Bijnor Division, Bijnor.

.....Respondents

By Advocate : Sri S. Lal for Sri P.K. Mishra.

ORDER [Oral]

No objection against application for condonation of delay has been filed. Sri S. Lal proxy counsel for Sri P.K. Mishra, learned counsel for the respondents is present.

2. The order which has been annexed as Annexure No. A-7 is of dated 18.04.2013. According to the applicant, thereafter, a fresh letter issued on 08.08.2013 for consideration of the case of the applicant in terms of the order dated 18.04.2013. The

applicant then asked for under RTI Act and applicant was informed on 21.06.2016 that committee of CRC was held on 24/25.04.2014 and candidature of the applicant was considered but he could not be recommended because he secured only 52 merit points as the last recommended candidate has secured 63 merit points.

3. In this case counter reply has been filed against which rejoinder has also been filed.

4. Alongwith CA the order dated 18/21.06.2014 has been annexed which was sent to the applicant under registered post. The case of the applicant is that the same letter was not received by the applicant. This order is virtually information which has been furnished to the applicant under RTI Act.

5. From the perusal of the record it reveals that case of the applicant has not been closed. Hence, there is no delay in preferring the original application and application for condonation of delay is allowed.

6. In view of the order as well as pleadings of the parties it is clear that applicant could not be recommended for appointment on compassionate ground due to limited number of vacancy(ies) for compassionate appointment.

7. Hence, this Original Application is finally disposed off with direction to the respondents to reconsider the case of the applicant as and when vacancy(ies) for compassionate ground appointment are made available alongwith other suitable candidates in accordance with law.

8. There shall be no order as to costs.

(Justice V. C. Gupta)
Member (J)

JNS