

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/020/00066/2018 with MA/020/00034/2018

Date of Order : 23-04-2019

Between :

G.Durga Prasad S/o late G.V.V.K.A.N.Satyanarayana,
Aged 34 years, Occ : un employed,
R/o Someswaram, Rayavaram Mandal, E.G.Dist. (A.P.)Applicant

AND

1. The Union of India rep by
The Secretary, Department of Posts,
Dak Bhawan, Sansad Marg,
New Delhi-110001.
2. The Chief Post Master General,
A.P.Circle, Hyderabad.
3. The Superintendent of Post Offices,
Rajahmundry Division,
Rajahmundry-533101. ...Respondents

Counsel for the Applicant: Mrs. S. Anuradha

Counsel for the Respondents : Mr.M.VenkataSwamy, Addl. CGSC

CORAM :

THE HON'BLE MR.V.AJAYKUMAR, JUDICIAL MEMBER

(Oral Order per Hon'ble Mr. V. Ajay Kumar, Judicial Member)

Heard Mrs. S. Anuradha, learned counsel for the applicant and Mr. M. Venkata Swamy, learned Addl. Central Govt., Standing Counsel for Respondents and perused the pleadings on record.

2. The applicant who is the son of one late G.V.V.K.A.N.Satyanarayana who died in harness while working as Postman on 15.11.1991, filed the OA seeking the following reliefs :

“ In view of the facts mentioned above of this OA the applicant prays that this Hon’ble Tribunal may be pleased to call for the records pertaining to the order No.RE/Misc/2012, dt.24.09.2012 and set aside the same by declaring it as arbitrary, illegal and violative of Articles 14, 15, 16 and 21 of the Constitution of India and consequently seeking a direction to consider the case for compassionate appointment in any suitable post by considering his candidature and declare that the applicant is entitled for compassionate appointment to any suitable post by considering his candidature by holding the action of the respondents in denying his legitimate appointment as bad in law and as well as opposed to the concept of providing compassionate appointment to the dependents and may pass any other order or orders as deemed fit and proper in the circumstances of the case.”

3. Heard Mrs.S.Anuradha, learned counsel for the applicant and Mr.M.VenkataSwamy, learned Addl Central Govt., Standing Counsel for the Respondents. In the circumstances and sine the matter pertaining to compassionate appointment, the delay is condoned and M.A is allowed.

4. The Respondents have filed the reply denying the OA averments. However, when the case is taken up for hearing, it is brought to our notice that the Respondents Postal Department issued latest instructions vide memorandum dated 17.12.2015 for consideration of the dependents of deceased employees of the Postal Department for appointment on

compassionate grounds.

5. The learned counsel also submits that though the Respondents issued a Corrigendum No.17-17/2010-GDS, dated 10.06.2016 giving prospective effect only, and the said corrigendum was also questioned before this Tribunal in OA No.904/2016, decided on 07.08.2018 in the case of B.P. Satish Kumar Vs. Union of India and this Tribunal has set aside the said corrigendum and hence the Respondents may be directed to reconsider the claim of the applicant in terms of the letter dated 17.12.2015.

6. In view of the latest instructions issued by the Respondents themselves, the OA is disposed of without going into merits of the case, by directing the Respondents to reconsider the case of the applicant in terms of instructions dated 17.12.2015 in the next Circle Relaxation Committee meeting along with other eligible candidates and to pass appropriate speaking orders thereon in accordance with law.

7. No order as to costs.

(V.AJAYKUMAR)
JUDICIAL MEMBER

Dated : 23rd April, 2019.
Dictated in Open Court.

