

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/021/01162/2017

Date of Order : 23-04-2019

Between :

P.Laxman S/o Late Sri P.Lingiah,
Aged about 26 years,
Ex-GDSMC, Sirsa BO a/w Chenure S.O.,
H.No.1-15, Sirsa Village,
Kotapalli Mandal : ADILABAD District.

....Applicant

AND

1. The Union of India represented by
Its Secretary, Government of India,
M/o Communications and I.T,
Department of Posts – India,
Dak Bhavan, Sansad Marg,
New Delhi-110001.

2. The Chief Postmaster General,
Telangana Circle, Abids,
Hyderabad-500001.

3. The Superintendent of Post Offices,
Adilabad Division, ADILABAD,
Dist : Adilabad.

...Respondents

Counsel for the Applicant: Mr. M. Venkanna

Counsel for the Respondents : Mr. M. Venkata Swamy, Addl. CGSC

CORAM :

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

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

The applicant who is the son of late P. Lingiah, who died in harness on
31.05.2012 while working as GDSMC under the Respondents filed the OA
seeking the following reliefs :-

“ In view of the above facts and circumstances the applicant herein prays that this Hon’ble Tribunal may be pleased to quash and set aside the Letter No.PMG(H)/RE/CA/GDS/Genl/2013 dated 17-06-2013 issued by 1st Respondent communicated through Memo No.B2-CA/Rejected-2013 dated 21-06-2013 issued by the 3rd Respondent rejecting the appointment of the applicant for compassionate appointment without assigning any reason, being arbitrary and illegal and opposed to the sacred scheme of compassionate appointment and consequently direct the respondents to reconsider the name of the applicant in the subsequent CRC meetings for compassionate appointment to any eligible GDS post in the interest of justice and be pleased to pass such other order or orders as this Hon’ble Tribunal may deem fit and proper in the circumstances of the case.”

2. The delay in filing the OA was condoned by this Tribunal on 11-12-2017. The Respondents filed a detailed counter denying the OA averments.

3. Mr. M. Venkanna, the learned Counsel for the applicant while assailing the impugned Annexure A-I order dt. 21.06.13 on various grounds, also submits that the Respondents have issued the fresh instructions vide proceedings No.17-17/2010-GDS, dated 17.12.2015 (Annexure A-VIII) ie the scheme for engagement of dependents of deceased GDS on compassionate grounds – review of existing point based system of assessing indigence and the applicant would be satisfied if the OA is disposed of with a direction to the Respondents to reconsider the case of the applicant in terms of the said Annexure A-VIII, dated 17.12.2015, within a fixed time frame. The learned counsel also submits that though the Respondents issued a Corrigendum to the said Annexure A-VIII, dated 17.12.2015 vide 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 Annexure A-VIII letter dated 17.12.2015.

4. Sri M. Venkata Swamy, learned Standing Counsel appearing for the Respondents while defending the impugned proceedings in the OA, however not disputed the fact of issuance of Annexure A-VIII, dated 17.12.2015 and setting aside the corrigendum dated 10.06.2016 issued in respect Annexure A-VIII, dated 17.12.2015 by this Tribunal in the said OA.

5. In the circumstances and for the aforesaid reasons, the OA is disposed of without going into the merits of the case by directing the Respondents to reconsider the claim of the applicant in terms of Annexure A-VIII, dated 17.12.2015 for appointment on compassionate grounds against any suitable vacancy in the next Circle Relaxation Committee along with all other eligible candidates as per Rules and law.

6. No order as to costs.

(V.AJAYKUMAR)
JUDICIAL MEMBER

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

