

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00992/2016

Jabalpur, this Thursday, the 25th day of April, 2019

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER

Narendra Sharma,
S/o Late Shri Babulal Sharma
A/a 35 yrs.
R/o Village Bankheda Teh. &
Dist. Sehore (M.P.) PIN 466665

-Applicant

(By Advocate –**Shri Sanjeev Tuli**)

V e r s u s

1. Union of India,
Through The Secretary
Dept. Of Post
New Delhi PIN Code 110001

2. Chief Post Master General,
Madhya Pradesh Circle
Bhopal (M.P.) 462012

3. Superintendent of Post Offices
Sehore Division
Sehore (MP) 466001

-Respondents

(By Advocate –**Shri D.S. Baghel**)

O R D E R (Oral)

This Original Application has been filed by the
applicant against the order dated 29.06.2016 (Annexure

A/1) whereby the respondents have rejected the case of applicant for grant of compassionate appointment.

2. The applicant has prayed for the following reliefs:-

“8(i) Call for the entire material record pertaining to the instant controversy.

8(ii) Direct the respondents authority to afford appointment of the applicant on the post of GDS on the compassionate ground and quashed the impugned order dated 29.06.16 Annexure A-1 and orders dt.09.05.2005 Annexure A-2.

8(iii) Grant any other relief which this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case to the applicant.

8(iv) Award the cost of the instant lies to applicant.”

3. Precisely the case of the applicant is that father of the applicant was Gramin Dak Sevak (GDS) at Post Office Ahmadpur Division Sehore. The applicant's father died on 25.11.2013 while in service leaving behind a widow wife and two sons. The applicant has submitted application for compassionate appointment to the respondents which was rejected vide order dated 11.04.2015 by the Circle Relaxation Committee. Later on the applicant came to

know that Circle Relaxation Committee has considered the application for appointment on compassionate grounds on three occasions and Mr. Akhilesh Bairagi in the similar circumstances has been offered appointment by the respondents. The applicant submits that prior to rejection of his claim, no inquiry was conducted to assess the assets of the applicant/employee neither in 2005 nor in 2016.

4. The applicant has filed M.A. No.200/1001/2016 for condoning the delay in filing this Original Application wherein it has been stated that the respondents have rejected the case of the applicant on 09.05.2005 and thereafter the applicant keep on making representations.

5. The respondents have in their reply have submitted that, the father of the applicant died on 25.11.2003 and the case of compassionate appointment has been considered vide meeting dated 11.04.2005 which has been duly intimated to the applicant vide letter dated 09.05.2005 (Annexure A/2). The applicant has filed this O.A. in the year 2016. It has been submitted by the respondents that

cases of compassionate appointment has been considered as per guidelines, Government of India, Department of Posts New Delhi dated 14.07.1978 and 12.12.1979. The CRC considers the cases of compassionate appointment by a balanced and objective assessment of financial condition of the family taking into consideration its assets and liabilities and all other relevant factors such as the number of dependent family members, the present of earning member, size of the family, ages of the children and the essential needs of the family etc. The case of the applicant was considered by the CRC meeting held on 11.04.2005. Total 35 cases were considered and all were rejected because these vacancies could not be filled up as per directives contained in communication of Directorate.

6. Heard the learned counsel for both the parties and have also gone through the documents annexed therewith.

7. From the pleadings it is clear that Annexure A-1 order dated 29.06.2016 is a simple intimation regarding the rejection of the application for compassionate

appointment to the mother of the applicant, that the case of her son has been considered by the CRC meeting held on 11.04.2005 and the applicant was not given any compassionate appointment due to the fact that there was no vacancy which is clear as per Annexure R/3.

8. It is also pertinent to mention that this Original Application has been filed in the year 2016 whereas the case of the applicant was rejected in the year 2005 which is much after a lapse of more than 10 years. There is no satisfactory reasons mentioned in the M.A. No.200/1001/2016 for condoning the delay in filing O.A. by the applicant. Hence, the Original Application is not maintainable.

9. In view of the above, I do not find any ambiguity or illegality in the order dated 29.06.2016 passed by the respondents. Resultantly, this Original Application is dismissed. No costs.

**(Ramesh Singh Thakur)
Judicial Member**

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