

**Central Administrative Tribunal
Madras Bench**

MA 310/00147/2018 & OA 310/00306/2016

Dated Monday the 19th day of November Two Thousand Eighteen

P R E S E N T

**Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr. P. Madhavan, Member(J)**

S. Mohammed Hussain Sahib
261/1, Valli Nagar
South Ragavendra School Opp.,
Theni – 625 531.

.. Applicant

By Advocate **M/s. Stalin Abhimanyu**

Vs.

The General Manager
Bharat Sanchar Nigam Limited
Virudhunagar District.

.. Respondent

By Advocate **Mr. M.S. Velusamy**

ORAL ORDER

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

MA 147/2018 for restoration of OA is allowed.

2. Heard. The applicant has filed this OA seeking the following reliefs:

“(i) To quash the respondent's proceedings in No. Q/Relax-Rectt/AS/2009-12/23 Dt. At VGR the 23.01.2013

(ii) To direct the respondent to consider the applicant for compassionate appointment within a time limit stipulated by this Tribunal

(iii) and pass such further or other orders as may be deemed fit and proper in the facts and circumstances of the case”

3. Learned counsel for the applicant would submit that the applicant was aggrieved that his case had not been considered by the competent authority in the light of the report at Annexure A7 wherein it was clearly mentioned that the family was not in possession of immovable or movable property. It was also reported that the family was suffering a lot due to the death of the invalid pensioner and did not have any support from other family members. Most of the death gratuity was adjusted against unpaid outstandings in Society and Bank and the family did not have any other sources of income other than the family pension. Accordingly, the applicant would be satisfied if the respondents are directed to reconsider his case in the light of the report and pass appropriate orders.

4. Learned counsel for the respondents would submit that the respondents would have no objection to revisiting the case of the applicant with a view to

passing a reasoned and speaking order in the light of Annexure A7 report following spot verification of the family's financial condition.

5. Keeping in view the above, this OA is disposed of with direction to the respondents to reconsider the case of the applicant for compassionate appointment in the light of the Annexure A7 report as also any further material the applicant may wish to submit in support of his claim within a period of one week from the date of receipt of copy of this order. The respondents shall pass a reasoned and speaking order within a period of two months thereafter.

6. OA is disposed of in the above terms.

(P. Madhavan)
Member (J)

19.11.2018

(R. Ramanujam)
Member(A)

AS