

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 4th day of December Two Thousand And Eighteen

PRESENT:

THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A. 310/1260/2013

K. Pandian,
S/o. Krishnan,
No.2, 11st Street,
Thiruvalluvar Nagar,
Thirumullaivoyil,
Chennai- 600 062.

....Applicant

(By Advocate: Mr. R. Malaichamy)

Versus

1. Union of India Rep. by
The Chief Postmaster General,
Tamil Nadu Circle,
Anna Salai,
Chennai- 600 002;
2. The Senior Superintendent,
Railway Mail Services,
Airmail Sorting Division,
Chennai- 600 045.

...Respondents

(By Advocate: M/s. Shakila Anand)

ORAL ORDER

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

Heard. This O.A. has been filed seeking the following reliefs:-

“(i) to call for the records of the 2nd respondent pertaining to his order which is made in Memo No. B110/GR-RRR/12 dated 10.07.2013 and set aside the same, consequent to;

(ii) direct the respondents to reinstate the applicant into service with all consequential service benefits.”

2. Learned counsel for the applicant submits that the applicant is seeking compassionate appointment which was denied to him in 2003 as he was facing criminal charges at that time. The applicant subsequently had been acquitted and, therefore, he was entitled to be considered for compassionate appointment. He seeks to rely on the order passed by this Tribunal in O.A. No. 1259/2013 dated 18.11.2016 in an allegedly identical case wherein it was observed that as the applicant therein had been acquitted, he should be considered at par with similarly situated persons who benefitted from the order of the Hon'ble Madras High Court in W.P. 16041/2014. Accordingly, the respondents were directed to consider the case of the applicant therein on the same lines as in the said W.P. and pass appropriate orders. The applicant, being similarly placed, would be satisfied if this O.A too is disposed of with similar directions.

3. Ms. Shakila Anand, Learned standing counsel for the respondents submits that the order of this Tribunal in O.A. 1259/2013 had been challenged in the Hon'ble Madras High Court in W.P. No. 23088/2018 which is still pending. She would accordingly submit that this OA could be disposed of with a direction to the respondents to reconsider the matter if necessary as and when the Hon'ble High Court disposes of the said W.P. in terms of such directions as the High Court may issue in the case.

4. In view of the aforesaid submission, the respondents are directed to review the case of the applicant in terms of any directions that may be issued by the Hon'ble High Court in the pending W.P. if such directions are favourable to persons similarly placed as the applicant.

5. O.A. is disposed of in the above terms. No costs.

(R. RAMANUJAM)
MEMBER (A)

04.12.2018

Asvs.