

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD**

Original Application No.20/1024/2018

Date of Order: 17.06.2019

Between:

B. Eleesha Babu, Gr. D,
S/o. late B. Nageswara Rao,
Aged 37 years, Occ: Unemployee,
Avanigadda PO, Krishna District, AP.

... Applicant

And

1. The Chief Postmaster General,
A. P. Circle, Vijayawada – 13.
2. The Post Master General,
Vijayawada Region, Vijayawada-1.
3. The Superintendent of POs,
Machilipatnam Division,
Machilipatnam – 521 001.

... Respondents

Counsel for the Applicant ... Mr. B. Gurudas

Counsel for the Respondents ... Mrs.M. Swarna, Addl. CGSC

CORAM:

Hon'ble Mr. B.V. Sudhakar, Member (Admn.)

ORAL ORDER

{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }

2. OA is filed challenging the rejection of compassionate appointment.

3. Applicant's father while working for the respondents organisation as Mail Overseer left for the heavenly abode on 26.2.2000. Applicant made a request for compassionate appointment which was considered on

6 occasions and rejected. Aggrieved, for rejecting the request without properly assessing the indigent circumstances, the OA is filed.

4. Applicant claims that he does not have any immovable property nor any source of income and that he is eking out a living by doing odd jobs on daily wages. Mother is not keeping good health and the meagre earnings are mostly used for her medical treatment. Applicant pleads that he is living in indigent circumstances and hence is eligible to be considered for compassionate appointment.

5. Respondents inform that, on the death of the father of the applicant, family pension of Rs.10,810 is being paid monthly. The request of the applicant was considered on 20.9.2000, 11.3.2005, 29.4.2014, 6.11.2017, 16.1.2018, 5.2.2018 by the Circle Relaxation Committee and rejected on grounds of relative merit and lack of vacancies.

6. Heard both the counsel and perused the documents placed on record.

7. I) As seen from the records and the submissions made the request of the applicant was considered on 6 occasions and rejected based on merit and lack of vacancies. On each and every occasion whenever the applicant represented though few years lapsed, respondents have been liberal and sympathetic in considering the request but had to reject as per norms of relative merit and the limitation of 5% of vacancies earmarked for compassionate recruitment. Compassionate appointment is not a bonanza nor a right to claim persistently till it is fructified. It is offered to

tide over the difficult circumstances in which the family is placed on the sudden demise of the bread winner, as per rules prevailing in the respondents organisation. Father of the applicant died in 2000 and the respondents did consider the request from then on till 2018 i.e. over a span of 18 years. The lapse of 19 years is an indication that the family could manage the sudden crisis and is back to normal life. Tribunal takes support of the Hon'ble Supreme Court in Santosh Kumar Dubey v. State of U.P., (2009) 6 SCC 481, as under, to make the assertion:

11. The very concept of giving a compassionate appointment is to tide over the financial difficulties that are faced by the family of the deceased due to the death of the earning member of the family. There is immediate loss of earning for which the family suffers financial hardship. The benefit is given so that the family can tide over such financial constraints

12. The request for appointment on compassionate grounds should be reasonable and proximate to the time of the death of the bread earner of the family, inasmuch as the very purpose of giving such benefit is to make financial help available to the family to overcome sudden economic crisis occurring in the family of the deceased who has died in harness. But this, however, cannot be another source of recruitment. This also cannot be treated as a bonanza and also as a right to get an appointment in government service.

II. Thus, as can be seen from the above, respondents have followed the rules and after considering the request on several occasions rejected on valid grounds. OA is devoid of merits on rules and law. Hence is dismissed with no order as to costs.

(B.V. SUDHAKAR)
MEMBER (ADMN.)

Dated, the 17th day of June, 2019

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