

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT SITTING AT RANCHI
CP/051/00006/18
[Arising out of OA/050/00229/2015]**

Date of Order: 12/04/2019

C O R A M

**HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

Kanchan Kumar Hazra, son of late Kashra Nath Hazra, resident of Village-Fufwadih, PO:- Kalyanpur, PS- Barwadda, District- Dhanbad.

.... **Applicant.**

By Advocate: - None

-Versus-

1. The Union of India through Shri B.V. Sudhakar, son of not known, the Secretary, Ministry of Communication, Department of Post, Dak Bhawan, Sansad Marg, New Delhi-1.
2. Shri R.R.P. Singh, son of not known, the Chief Post Master General, Jharkhand Circle, Meghdoot Bhawan, Doranda, PO and PS- Doranda, District- Ranchi-2.
3. Shri B.P. Depo, son of not known, the Assistant Director, Postal Services (P), Office of the chief Postmaster General, Jharkhand Circle, Meghdoot Bhawan, Doranda, PO and PS- Doranda, District- Ranchi-2.
4. Shri Vimal Kishore, son of not known, the Senior Superintendent of Post Offices, Dhanbad Division, Dhanabd, PO & PS- Dhanabd, District- Dhanabd-2.

.... **Respondents.**

By Advocate: - Mrs. Babita Bharti

O R D E R
[ORAL]

Per J.V. Bhairavia, J.M:- In the instant CP, it is noticed that vide order dated 08.08.2016 in OA/051/00229/2015 this Tribunal had directed the respondents to consider the case of the applicant in the next CRC meeting as per their own parameters and guidelines notwithstanding the fact that

her mother's application was considered previously and rejected by the Department. The applicant has a substantive right for re-consideration. It is the case of the applicant that after order passed by this Tribunal the respondents have not re-considered the case of the applicant in spite of submission of representation by him. Therefore, the conduct of the respondents is willful and clear-cut disobedience of the orders passed by this Tribunal.

2. In response to the show cause notice, the respondents have filed their show cause and submitted that as per the order passed by this Tribunal and for the purpose of compliance of the same an application was obtained from the applicant for re-consideration of his appointment on compassionate grounds for the vacancy year 2016-17 under 5% direct recruitment quota. The entire case details along with relevant documents were placed before meeting of the Circle Relaxation Committee (CRC) held on 06.04.2017 to consider all together 16 cases of compassionate appointment for the vacancy year 2016-17 in the light of norms prescribed by the respondents and on examination of the said applications including the application of the applicant it was observed that the applicant has secured 69 points out of 115 points, whereas the last selected candidate in Postman cadre secured 75 points and in MTS cadre 93 points. Therefore, the CRC has not recommended the case of the applicant for appointment particularly due to non-availability of vacancy in Postman and MTS cadre. The said decision of the CRC was communicated to the applicant vide letter dated 11.05.2017 (Annexure R/1). The respondents have placed the copy of

the said communication dated 11.05.2017 along with the minutes of the meeting of the CRC held on 06.04.2017 on record.

3. We have examined the aforesaid documents and are satisfied that substantial compliance of the order of the Tribunal has been made by the respondents. Accordingly, the CP is dropped and notices are discharged.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member