

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK,**

ORDER SHEET

COURT NO. : 1
25/11/2019
O.A./260/738/2019

KIRAN KUMAR DAS
-V/S-
D/O POST

ITEM NO:11

FOR APPLICANTS(S) Adv. : Mr. G.K. Behera

FOR RESPONDENTS(S) Adv.: Mr. G.R. Verma

Notes of The Registry	Order of The Tribunal
	<p>Heard Ld. counsel for the applicant and Mr. G.R. Verma, Ld. Counsel entered appearance on behalf of the respondents. Registry to reflect the name of Mr. G.R. Verma, Ld. Counsel for the respondents in the cause list in future.</p> <p>Ld. Counsel for the applicant submits that applicant had made application for compassionate appointment as his father died on 02.04.2009. His request was not accepted. Therefore, he had earlier approached this Tribunal by filing O.A. No 67/12 which was disposed of vide order dated 30.01.12. In pursuance to the said direction of the Tribunal, the application of the applicant was rejected by the respondents on the ground that the applicant did not come within the zone of vacancies earmarked for compassionate appointment in PA/Postman/MTS cadre. Thereafter, the applicant made application dated 26.10.16 (Annexure-A/7)</p>

for compassionate appointment. Thereafter he was directed to submit solvency certificate as per communication dated 30.03.17 (Annexure-A/8). The applicant could not comply with the said order as his mother was suffering from cancer and thereafter his mother was taken to Tata Memorial Hospital for her treatment. Subsequently, he could file the solvency certificate on 07.07.2019 as seen from Annexure-A/10. Since, the application of the applicant is considered twice, there is no bar to consider his case for compassionate appointment for 3rd occasion for appointment to the post of PA/Postman/MTS or GDS if no other vacancies are available.

However, we are of the opinion that no purpose would be served by keeping this O.A. pending when the applicant's application dated 07.07.19 (Annexure-A/10) is pending. In the above circumstances, without going into the merit of case, the O.A. is disposed of with a direction to the Respondents to consider and dispose of the application dated 07.07.19 (Annexure-A/10) filed by the applicant for compassionate appointment to the post of PA/Postman/MTS or GDS one more time as per rules within a reasonable period preferably within a period of four months from the date of receipt of copy of this order under intimation to the applicant. It is expected that while considering the case of the applicant for compassionate appointment, the financial condition including the health condition of

his mother and will be considered by the respondents as per the rules.

The O.A. stands disposed of accordingly. No costs.

Copy of this order to Ld. Counsel for both the sides.

(SWARUP KUMAR MISHRA)
MEMBER (J)

(GOKUL CHANDRA PATI)
MEMBER (A)

kb