

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

MA No. 852/2019 in OASR No.2190/2019

Date of Order: 13.11.2019

Between:

Fayimuda Begum,
D/o. Late Syed Yousuf,
Aged about 26 years,
R/o. H. No. 2-23, Kokat Village,
Vikarabad District.

..Applicant

And

1. Union of India, rep. by the Secretary,
Ministry of Communications and IT and
the Director General of Posts – India,
Department of Posts,
Dak Bhavan, Sansad Marg,
New Delhi – 110 001.
2. The Chief Postmaster General,
Telangana Circle, Dak Sadan,
Hyderabad – 500 001.
3. The Senior Superintendent of Post Offices,
Secunderabad Division, Hyderabad – 500080.

...Respondents

Counsel for the Applicant ...Mr. M. Venkanna
Counsel for the Respondents ... Mrs. K. Rajitha, Sr. CGSC

CORAM:

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

ORAL ORDER

2. MA 852/2019 has been filed for condonation of delay of 4 years, 4 months and 27 days in filing OA (OASR No. 2190/2019). The relief sought in the main OA is to quash the order dt. 06.06.2014 whereunder her request for compassionate appointment to GDS post was rejected and for a direction to consider her case for appointment as GDSBPM, Kokat BO a/w. Tandur SO.

3. The reasons given by the applicant for the delay are that she is a poor lady and she was not aware of the rejection order dt.06.06.2014 and she came to know about the same through her counsel only when counter affidavit was filed in OA 523/2014. Till then, she was hopeful that her case was still pending with the authorities in pursuance of the orders passed by this Tribunal in OA 473/2014 dated 28.04.2014 as the respondents did not take steps for filling up the post of GDS BPM, Kokat BO and she was not even aware of the dismissal order of this Tribunal dt. 04.03.2015 in OA 523/2014. Hence, for these reasons, there was delay of more than 4 years in the present OA and the applicant fervently seeks condonation of delay.

4. When the MA came up before this Tribunal, learned counsel for the respondents has drawn the attention of this Tribunal to the order dt. 06.06.2014 which is under challenge in the main OA. The said order reads as under:

“3. Aggrieved on this, the applicant filed OA No./020/473/2014 before Hon’ble CAT, Hyderabad. The said OA was disposed by the Hon’ble Tribunal at the admission stage with a direction to the department to reconsider the claim of the applicant for compassionate appointment to the post of GDSBPM, Kokat BO a/w Tandur SO under the scheme and instructions on the subject with a reasoned order granting four weeks from the date of receipt of copy of the order.

4. As per orders of Hon’ble CAT, case was reconsidered with the following outcome:

(a) Applicant got 47 points against the minimum 51 points as prescribed by Directorate vide Lr. No. 17-17/2010-GDS as 14.12.2010 & 09.03.2012 & 09.10.2013 to be eligible for compassionate appointment for GDS post.

(b) As per the Observations of the Hon’ble CAT, Hyderabad in its order cited above, the details of marks secured by the applicant and also marks under each head is furnished vide Annexure.

5. On the above said ground, the applicant is found to be not eligible for appointment under compassionate grounds. The Directions of the Hon’ble CAT is duly complied with by the said speaking and reasoned order as stated at para (4(a) vide Directorate letters cited above.”

As seen from the impugned order, as per the directions of this Tribunal in OA No. 473/2014 dated 28.04.2014, the respondents have considered and rejected the case of the applicant. This order is sought to be challenged in the present OA. Besides, applicant also filed OA 523/2014 challenging the notification issued on 24.04.2014 for filling up the post which she is said to have occupied temporarily and the said OA was dismissed by this Tribunal on 04.03.2015.

5. Therefore, as can be seen from the above, the Tribunal has already adjudicated upon the issue raised by the applicant. There is no cause of action at this juncture of time to entertain the present OA seeking the same relief for compassionate appointment to the same post of GDSBPM, Kokat BO a/w. Tandur SO.

6. In view of the above, MA 852/2019 is dismissed. Consequently, OASR No. 2190/2019 stands dismissed. No order as to costs.

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

Dated, the 13th day of November, 2019

evr