

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/00713/2020

HYDERABAD, this the 10th day of November, 2020

Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member



A.Sudarshan, S/o Late A.Gopaiah,
Aged 40 years, Ex-GDS MD Koutala B.O.
a/w Sirpur (T), S.O – 504299,
Komuram Bhim (Asifabad) TS.

...Applicant

(By Advocate : Mr.B.Gurudas)

Vs.

- 1.Union of India, rep. by :
The Secretary to the Govt. of India,
MOC & IT, Dept of Posts,
New Delhi – 110001.
- 2.The Chief Post Master General,
T.S.Circle, Hyderabad-500001.
- 3.The Post Master General,
Hyderabad Region,
Hyderabad-500001.
- 4.The Director of Postal Services,
O/o PMG, Hyderabad Region,
Hyderabad- 500001.
- 5.The Superintendent of Pos,
Adilabad Division,
Adilabad-504001.

....Respondents

(By Advocate : Mrs. K. Bharathi, Addl. CGSC)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:



2. The O.A. is filed challenging the action of the respondent authorities in rejecting the request of the applicant for compassionate appointment to the post of GDS in relaxation of recruitment rules, vide letter dated 10.1.2020.

3. The brief facts of the case are that the applicant is the son of the Grameen Dak Sevak Mail Deliverer, who expired on 14.10.2013. The applicant submitted an application on 20.05.2014 for compassionate appointment through Inspector of Posts along with synopsis and enclosing all the required documents. However, his request was not processed further. The application was held up at Regional Office and was not forwarded to the Circle Office. The Chief Postmaster General i.e. the 2nd respondent is the competent authority to decide cases of compassionate appointment and not the 3rd respondent. The applicant preferred multiple representations to the 1st, 2nd & 3rd respondents to consider his case. Finally, the 5th respondent vide letter dated 10.1.2020 informed the applicant about the reasons for not considering the case by the Committee on Compassionate Engagement (CCE) met on 16.12.2019. The reasons given are contrary to rules.

4. The contentions of the applicant are that the rejection made by the respondents in regard to his compassionate appointment, are not in accordance with the rules on the subject. The applicant contends that married son is eligible as per rules, and point system was dispensed with by the respondents as per their own order on 30.5.2017. On further review, the

respondents have decided on 5.3.2020 to review and consider all the cases rejected during the period 2005 to May, 2007. According to this order, the applicant's case has to be considered for compassionate appointment.

5. Heard Sri B. Gurudas, learned counsel for the applicant and Smt. K. Bharathi, learned counsel for the respondents, and perused the pleadings on record.



6. The applicant's father while working in the department, has passed away and hence, the applicant made an application for compassionate appointment. The request made was rejected. The applicant states that the rejection is not based on the rules. However, respondents themselves have taken a policy decision on 5.3.2020 to review and consider all those cases, which have been rejected during the period 2005 to May, 2007 as one time measure. In view of the policy decision taken by the respondents, they are directed to consider the case of the applicant for compassionate appointment as per rules and law, within a period of four months from the date of receipt of this order.

7. With the above direction, the O.A. is disposed of. No order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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