

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD (TELANGANA)
NO. 5-10-193, 1ST FLOOR, HACA BHAVAN, HYDERABAD - 500004

Order Sheet

Item no.: 17
O.A./438/2022 (ANDHRA PRADESH)
[COMPASSIONATE APPOINTMENT]
Court No.: 1

No of Adjournment: 4

Order Dated: 01/08/2022

V ARUNA
Vs
POST AP CIRCLE

For Applicant(s) Advocate : B GURUDAS

For Respondent(s) Advocate : A SREENIVAS, Addl. CGSC

Order of The Tribunal

Through Video Conferencing:

Counsels for the parties are present.

The applicant's husband died in harness while working as Assistant Branch Postmaster at Arimakulapalle Branch Post Office. The applicant submitted application for compassionate appointment which was rejected vide Letter dt. 28.08.2021 for want of requisite educational qualification. The learned counsel for the applicant has submitted that, as per the Orders dt. 02.02.1994, the applicant has to be exempted from the educational qualification. However, as per subsequent Order dt. 09.02.2022, three years time is given to acquire the required educational qualification. The applicant has passed the SSC Public Examination and submitted the Certificate dt. 24.06.2022 to the respondents on 28.06.2022. The respondents, vide Order dt. 19.05.2022, appointed the applicant as Dak Sevak on compassionate basis at Kothapalle SO. The applicant is aggrieved over her posting at Kothapalle SO instead of Arimakulapalle BO, in which a vacancy is available, she has approached

this Tribunal for redressal of her grievances. It is submitted that the respondents have notified the post of ABPM Arimakulapalle Branch Post Office for online recruitment instead of providing the same to the applicant.

The learned counsel for the respondents has drawn our attention to Annexure XII, page 42 of the OA, in which clarifications were given as below:

"xxx. In the absence of a vacancy at village post, compassionate appointment can be given in any other Post Office in the vicinity/neighbourhood of his/her place of residence. In this connection, instructions contained in Postal Directorate Letter dt. 05.08.1993, may also be kept in view. "

The learned counsel for the applicant has maintained the argument that there is a vacancy of ABPM at Arimakulapalle Branch Post Office and the applicant should have been considered for posting at that post office. To this, the learned counsel for the respondents' sought one weeks' time to get instructions from the Department. It is allowed. The respondents' counsel shall seek instructions about the vacancy position at Arimalulapalle BO and, if there is a vacancy, whether the applicant be considered for posting at that place or not.

List the case on 30.08.2022.

In the meantime, if there is a vacancy of ABPM post at Arimakulapalle BO, it should not be filled up till the next date of hearing, if not already filled up.

K V EAPEN
Member (A)

Ashish Kalia
Member (J)

/RAM/