

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00583/2020

Friday, this the 29th day of January, 2021

C O R A M :

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

HON'BLE Mr.K.V.EAPEN, ADMINISTRATIVE MEMBER

Johny George, S/o.Late K.C.George
Kalapurackal House, Velloor P.O
Thottappally, Pampady, Kottayam – 686 501
Ph.No.9447002123

... Applicant

(By Advocate M/s.P.C.Thomas and Judy P.T)

v e r s u s

1. The Flag Officer Commanding-in-Chief
Headquarters (for SSO(CP)
Western Naval Command, Mumbai – 400 001

2. Naval Pay Office
SBS Road, Mumbai-400 001
Represented by Lieut.Asstt.Logistics Officer
(Admin for Supply Officer-in-Charge)

.... Respondents

(By Advocate : Mr.Thomas Mathew Nellimoottil,Sr.PCGC)

This application having been heard on 29.1.2021 through video conference, this Tribunal on the same day delivered the following :

O R D E R (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

The applicant is aggrieved by non-receipt of compassionate appointment under

the respondents, though police verification was completed in May 1999. Thus the applicant has approached this Tribunal praying for the following reliefs:

" (i) Direct the respondents 1 and 2 to appoint the applicant under their employment (falling under direct recruitment quota in Group C post) and to give notional effect to such appointment from 1.8.1999, based on his ITI mechanical educational qualification and provide salary and other emoluments accordingly.

(ii) Issue such appropriate orders or direction as this Court may deem fit, just and proper in the facts and circumstances of the case. "

2. When the matter came up for consideration, it appears that the applicant's Annexure A-22 representation dated 20.07.2018 is still pending with the respondents and they have not passed any speaking order on the same.

3. Counsel for the respondents Adv.Mr.Thomas Mathew Nellimoottil,Sr.PCGC seeks time for filing a reply statement.

4. Since the remedies are not exhausted, the Competent Authority is directed to consider Annexure A-22 representation filed by the applicant in the light of relevant rules and regulations and pass a speaking order within a period of three months from the date of receipt of a copy of this order.

5. The Original Application is disposed of as above. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

SV

List of Annexures

Annexure A1 - The true copy of the letter dated 9.10.1986 sent to the Government of India, Ministry of Defence by which immediately after completing ITI the applicant again applied for the job on the ground of compassionate appointment.

Annexure A2 - True copy of the communication dated 11.12.1997 issued by the 2nd respondent, stating that the applicant's father was not working as employee of Indian Navy and there were no records available regarding the same.

Annexure A3 - True copy of the letter dated 24.2.1999, sent to the 2nd respondent stating that at the time of death of his father the applicant was child; that since his siblings were uneducated they could not apply for job on the ground of compassionate appointment and he is the only child who has studied upto ITI.

Annexure A4 - True copy of the communication dated 12.5.1999 issued by the 2nd respondent directing the applicant to submit certain documents for enabling the 2nd respondent to process for the job as also requested the address of the local Police Station.

Annexure A5 - True copy of the communication dated 26.5.1999 issued by the 2nd respondent to the Sub Inspector of Police, Pampady, requesting civil police verification report with regard to the financial status of the applicant

Annexure A6 - True copy of the communication dated 26.5.1999 issued by the 2nd respondent acknowledging the receipt of documents sent by the applicant in compliance of Anxr A-4 communication of the 2nd respondent as also requesting to send signed certain forms and affidavits

Annexure A7 - True copy of the letter dated 15.7.1999, issued by the 2nd respondent to the 1st respondent recommending to provide employment under EAS

Annexure A8 - True copy of the letter dated 24.1.2000 issued by the office of the Chief CS, Allahabad, intimating that application of mother of the applicant, regarding claim for revision of pension had been rejected.

Annexure A9 - True copy of the letter dated 13.7.2000 sent to the Prime Minister of India based on that representation, the Prime Minister of India sent a reply bearing No.6668 dated 15.5.2000.

Annexure A10 - True copy of the reply dated 25.9.2003 from the office of the Hon'ble Prime Minister of India, in response to applicant's letter dated 18.9.2003 stating that his representation dated 18.9.2003 has been forwarded to the Defense Secretary, Ministry of Defence, New Delhi

Annexure A11 - A true copy of the letter dated 5.8.2004 of the applicant, sent to the 2nd respondent with copy to the Hon'ble Prime Minister and Hon'ble President of India

Annexure A12 - True copy of the letter dated 7.10.2004 of the applicant to the office of the 2nd respondent requesting to speed up the process for providing employment to the applicant

Annexure A13 - True copy of the letter dated 9.2.2007 sent to the 2nd respondent for providing employment with copy to the Hon'ble President of India and Hon'ble Prime Minister

Annexure A14 - True copy of the letter dated 31.1.2008 sent to the Hon'ble Defence Minister of India for considering him for job as there was no favourable action on Anxr A-13.

Annexure A15 - A true copy of the communication dated 23.6.2010 of the Defence Minister of India. On 8.6.2010 the applicant sent another letter to the Defence Minister for taking necessary action with regard to his appointment. In response to that letter the applicant received a communication from the Defence Minister of India stating that the matter is being looked into.

Annexure A16 - True copy of the letter dated 23.10.2014 sent by the applicant to the Hon'ble Prime Minister of India with regard to his job

Annexure A17 - True copy of the communication dated 29.9.2015 sent to the Hon'ble Prime Minister with regard to his grievance

Annexure A18 - True copy of the communication dated 11.11.2015 sent to the Defence Minister of India with regard to his grievance

Annexure A19 - True copy of the letter dated 10.2.2016 sent to the Hon'ble Prime Minister of India

Annexure A20 - True copy of the letter dated 30.1.2018 of the applicant sent to the Hon'ble Defence Minister of India

Annexure A21 - True copy of the letter dated 10.7.2018 issued by the 2nd respondent to the applicant, requesting the applicant to again submit details with regard to his employment skills as there is no documents available with that office.

Annexure A22 - True copy of the reply dated 20.7.2018 to Annex A-21 request.

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