

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

OA NO.1142/2017

NEW DELHI THIS THE 20th DAY OF AUGUST, 2018

HON'BLE MR. PRADEEP KUMAR, MEMBER (A)

Shri Vedpal, aged 27 years,
(D.O.B-02.01.1990),
S/o Late Rishi Pal Singh,
(A-4376) Ex. Daftary(OTP),
Expired on 27.01.2011 while
Working as Daftary with HQ
Commander Works Engineers,
Military Engineer Service,
29J The Mal Meerut Cantt-250001.

...Applicant

(By Advocate: Mr. K.K. Sinha)

VERSUS

1. Union of India
Through Secretary,
Ministry of Defence,
South Block,
New Delhi-110001.
2. Engineer-in-Chiefs Branch/E1C(4)
Army Headquarters,
Kashmir House,
DHQ PO, New Delhi-110001.
3. Chief Engineer,
HQ Central Command,
PIN 900450, C/O 56APO.
4. Headquarters Chief Engineer,
Bareilly Zone, Sarvatra Bhawan,
Stn. Road, Bareilly Cantt.
5. Headquarters
Commander Works Engineers,
Military Engineers Service,
29 J The Mall Meerut Cantt.

...Respondents

(None)

:ORDER (ORAL):

Heard the learned counsel for the applicant.

2. Pleadings in this case are complete.
3. This matter relates to the compassionate ground appointment to the applicant. The father of the applicant had died on 27.01.2011 while he was working as Daftary in Commander Works Engineers under the Ministry of defence at Meerut.
4. The case of the applicant is that he was considered three times during the years 2012-13, 2013-14 and 2014-15 but his compassionate ground appointment was not approved. The counsel for the applicant brought out that as per the records of the respondents, even though the income from property was shown as Rs.3,000/- for the years 2012-13 and 2013-14, it was abruptly enhanced and shown as Rs.30,000/- per month for the year 2014-15. This would have vitiated the relative assessment of applicant, vis-à-vis, other candidates for the year 2014-15.
5. It is seen from the counter of the respondents that income was shown as Rs.30,000/- for the year 2014-15 and it was admitted to be a typographical error.

6. In view of the forgoing, it is clear that the relative evaluation of all the candidates for vacancies for the year 2014-15 may not have been done correctly in the case of applicant.

7. The compassionate ground appointment is basically to take care of the immediate needs of the family who might have been left in penury after the death of the earning member. This cannot be claimed as a matter of right by the applicant. In the instant case, the respondents have considered the case of the applicant thrice but his case could not succeed for compassionate ground appointment.

8. However, since the evaluation for the year 2014-15 might have been vitiated due to showing the wrong earning from the property, which has been admitted by the respondents, as such there is need to give a reconsideration to the applicant for the year 2014-15 and if his case merits a higher ranking vis-à-vis the last candidate appointed in the year 2014-15, the applicant needs to be granted compassionate ground appointment now.

9. In these circumstances, respondents are directed to reconsider the applicant for the vacancies of the year 2014-15 by showing his correct income for that year and then re-evaluate the latest position vis-a-vis the other successful candidates in that year and pass a speaking order within a period of three months

from the date of receipt of a copy of this order, keeping in view the observations in para 8.0 above.

10. The OA is disposed of with the above directions. No costs.

Order **DASTI**.

(PARDEEP KUMAR)
MEMBER (A)

/jk/