

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION NO.600/2011

Date of Decision:06.02.2017

CORAM: *HON'BLE DR. MRUTYUNJAY SARANGI, MEMBER (A)*

Mr. Pramod Mahadeo Narve

Post Ratanajan

Taluka Barsi, Dist.

Solapur 413 401.

... ***Applicant***

***(By Advocate Shri K.K. Waghmare, proxy
counsel for Shri Ulhas Shinde)***

VERSUS

1. Union of India, through
The Secretary,
Ministry of Defence,
Raksha Bhavan, South Block,
New Delhi 110 001.
2. The Director General (Pers)
Military Engineer Services
Engineer-in-Chief,
Army Headquarters, Kashmir House,
New Delhi 110 011.
3. The Chief Engineer
Headquarters, Southern Command,
Engineer's Branch,
Pune 411 001.
4. Chief Engineer (Navy) Mumbai
26 Assaye Buildings, Colaba
Mumbai 400 005.
5. Commander Works Engineers
Naval Works, Powai
Bhandup, Mumbai 400 078.
6. Garrison Engineer (NW)
Dr. Homi Bhabha Road,
Navy Nagar, Colaba
Mumbai 400 005.

... ***Respondents***

(By Advocate Shri R.R. Shetty)

O R D E R (ORAL)

Per: Dr. Mrutyunjay Sarangi, Member (A)

The Applicant had filed this OA praying for the following reliefs;

"8(a) This Hon'ble Tribunal may kindly be pleased to quash and set aside the impugned order dated 30 June 2006 which rejected the case of the applicant for appointment on compassionate grounds.

8(b) Direct the Respondents to reconsider the case of the applicant taking into consideration his continuing indigent position and provide him employment at the earliest available vacancy .

8(c) For interim and ad-interim reliefs in terms of prayer (b) above."

2. Reply has already been filed by the Respondents on 05.12.2016.

3. When this matter was taken up today, Shri R.R. Shetty, learned counsel for the Respondents produced a letter dated 03.01.2017 in which the Respondents have undertaken to consider the case of the applicant for compassionate appointment. The said letter reads as follows:

"1. A copy of HQ CESC Pune letter No.132506/Mumbai/17/B1(a)/E1B(S) dated 17 Dec 16 and 109008/CEBZ/PMN/12/LC dt. 23 Dec 16 are fwd for necessary action.

2. *The contents of HQ CESC Pune letter No. 132506/Mumbai/17/B1(A)/E1B(a)/E1B(S) dt 17 Dec 16 need to be suitably inform the applicant. By ensuring a proper counselling, the applicant may be advised to withdraw the OA/case. He may be encouraged to follow the laid down procedure for seeking compassionate appointment in the dept., instead of wasting his time and energy in seeking redressal through court of law.*

3. *CGSC may also be liaise to prepare and submit MA in the Hon'ble CAT Mumbai, bringing out the details of revised policy of re-consideration of the name of the applicant for the compassionate appointment as per availability of vacancies and merit of the case.*

4. *This HQ will be kept posted on the prog in this regard.*

*Sd/-
(Rakesh Kumar, IDSE)
Jt. Dir (Pers & Legal)
for Chief Engineer "*

4. Shri K.K. Waghmare, learned counsel holding for Shri Ulhas Shinde, learned counsel for the applicant submits that Shri Shinde has instructed him to convey that he accepts the position of the respondents with regard to consideration of the applicant's case for compassionate appointment.

5. In view of the above, the OA is disposed of at this stage to enable the respondents to consider the applicant's case for compassionate appointment within twelve weeks from the date of receipt of a copy of this order. The applicant

however will have the liberty to approach the appropriate legal forum at a later stage, if his grievance persists.

(Dr. Mrutyunjay Sarangi)
Member (A)

dm.