

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**O.A.594/2018**

**Dated this Thursday the 27th day of September, 2018**

**Coram: Hon'ble Dr. Bhagwan Sahai, Member (A).**

1. Epili Santosh S/o E. Khalia  
Age about 27 years,  
Son of Late E. Khalia, Mate Elect,  
Presently residing at 203 C wing,  
Vinayak Nagri Apartment,  
Rajaram Patil Nagar,  
Advali, Kalyan (East  
Thane-421 306.

...Applicant.

**( By Advocate Shri Ulhas Shinde ).**

**Versus**

1. The Union of India,  
through  
The Secretary, Ministry of Defence,  
New Delhi-110 011.
2. The Chief Engineer,  
Headquarters  
Chief Engineer Southern Command,  
Pune-411 001.
3. The Chief Engineer,  
Military Engineer Service,  
Headquarters,  
Chief Engineer (Navy),  
Mumbai, 26, Assaye Building,  
Colaba, Mumbai-400 005.
4. The Garrison Engineer (NW),  
NOFRA,  
Navy Nagar, Colaba,  
Mumbai-400 005.

... Respondents.

**Order reserved on: 24.09.2018**

**Order delivered on: 27.09.2018**

**O R D E R**

**Per : Dr. Bhagwan Sahai, Member (Administrative)**

**Present.**

Shri Ulhas Shinde, learned counsel for the

applicant. Heard him.

**2.** In this OA, the applicant Shri Epili Santosh seeks a declaration that he is entitled for Compassionate Appointment and reconsideration of his case by the respondent no.3 in view his continuing indigent condition and provide him employment at the earliest available vacancy.

**3.** Heard the counsel for the applicant. I have perused the OA memo and the reply to him from Headquarters, Chief Engineer, (Navy), Mumbai dated 07.11.2017. During the hearing, impugned communication was read out to the counsel for the applicant pointing out that there is no final order yet from the respondents with respect to his request for the compassionate appointment. He conceded the fact that no final decision has yet been taken by the respondent no.3 on this. Since the communication under challenge dated 07.11.2017 was with reference to application dated 08.08.2012, when the Screening Committee at the Command Headquarters considered his case alongwith those of other candidates, and it is mentioned that available vacancies during the year were 65, number of application as per command merit list was 478 and the number of applicant in merit among the total candidates was 157. Therefore, due to less number of vacancies available and more deserving cases, the applicant could not be accommodated for

compassionate appointment for the year 01.01.2016 to 31.03.2017. But it has been assured in the order under challenge that his case would be considered in the next yearly board on release of vacancies. He also has been asked to intimate any change in financial status of his family. This very clearly reveals that the applicant's case has not yet been rejected by the respondents and in fact it was to be considered in the next meeting of the Screening Committee. The OA at present is pre-mature and is therefore disposed of at the admission stage itself.

4. The applicant may pursue his case with the respondents for final decision thereon.

5. No order as to costs.

**(Dr. Bhagwan Sahai)**  
**Member (A)**

V.