

IN THE HIGH COURT OF BOMBAY AT GOA
WRIT PETITION NO. 698 OF 2017

Mayur Mayekar

...Petitioner

Versus

1. Flag Officer Commanding in Chief for CSO
(L&AP) & anr.

...Respondents

Mr. D. J. Pangam, Advocate for the Petitioner.

Mr. Mahesh Amonkar, Central Government Standing Counsel
for the Respondents.

Coram : N.M. Jamdar &
Prithviraj K. Chavan, JJ
Date: 12 June 2018

PC:-

1. The petitioner has sought for appointment on compassionate basis in the services of the Respondent-Union of India. An affidavit has been filed by the Flag Officer Commanding, Goa Naval area. In paragraph nos.9 and 10, the Commanding Officer has stated as under :

“9. With reference to para 19 and 22 of the petition, I say that, it is not correct to say that, the case of the petitioner has not been considered for compassionate appointment. I say that, the case of the petitioner for compassionate appointment is being considered from time to time and was last put up before the Board of officers for the quarter ending June 2017 for the

sixth time. However the case of the petitioner failed within the merit list as per weightage points. The relative merit positions of the petitioner vis-a-vis others is annexed herewith as "Annexure R-3.

10. I say that the case of the petitioner for compassionate appointment shall be again put up before the Board of Officers for every quarter for consideration."

2. It is the contention of the learned Counsel for the respondent that the petitioner did not make it in the merit list for appointment and his case will be put up before the Board every quarter for consideration as per the procedure and guidelines laid down. The learned Counsel for the Petitioner states that the petitioner is satisfied with the above stand taken by the Department. No mandamus can be issued to appoint the petitioner on compassionate basis immediately as it will have to be considered as per the procedure, which position is already stated by the Commanding Officer.

3. The Writ Petition is accordingly disposed of.

Prithviraj K. Chavan, J.

N. M. Jamdar, J.