

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 4689/2015

(RAMESH SHRIRANG INGLE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.W. Paunikar, counsel for the petitioner.
Shri D.B. Patel, A.G.P. for the R-1 to 5.

CORAM : SMT. VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.

DATE : SEPTEMBER 16, 2015.

By this petition, the petitioner seeks a direction to the respondent no.3 to appoint the petitioner on the post of Talathi, on compassionate ground.

According to the petitioner, the father of the petitioner was employed as a Talathi with the respondents and he expired while in service on 30.12.1976. After the petitioner attained the age of majority, the petitioner applied for the post of Talathi. According to the petitioner, the petitioner was called for interview by the respondents on 13.02.1989, but, no action has been taken by the respondents for appointing the petitioner on the post of Talathi, since then. Since the petitioner is not appointed on the post of Talathi, the present petition is filed.

On hearing the learned counsel for the parties, it appears that the petition suffers from laches. The father of the petitioner expired in the year 1976 and the petitioner attained the age of majority in the year 1988. If the petitioner was called for interview on 13.02.1989 and the petitioner was not appointed by the respondents within a reasonable time from the said date, the petitioner ought to have filed appropriate proceedings immediately. The petition is filed on 30.07.2015. It is stated on behalf of the

petitioner that the petitioner was making representations to the respondents to appoint the petitioner on the post of Talathi since 1989 to 2015. Mere making of representations would not stop limitation. The Hon'ble Supreme Court has held that successive representations are inconsequential while considering sufficient cause. It is necessary to refer to the judgments reported in **1995 Supp. (4) SCC 593** (*Administrator of Union Territory of Daman and Diu and others Versus R.D. Valand*) and **(2006) 4 SCC 322** (*Karnataka Power Corporation Limited, through its Chairman & Managing Director & Another Versus K. Thangappan & Another*), **(2009) 3 SCC 281** (*Yunus (Baboobhai) A. Hamid Padvekar Versus State of Maharashtra & Others*), in this regard.

Since the petition suffers from laches and the object of granting appointment on compassionate ground stands frustrated in view of the death of the father of the petitioner as early in the year 1976, we dismiss the writ petition with no order as to costs.

JUDGE

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