

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 5529 of 2015

(Kisna S/o Natthu Ayake Vs. State of Mah. through its Principal Secretary,
Command Area Development & Irrigation Management, Water Resources Dept.
and anr.)

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

Court's or Judge's order

Shri M. R. Joharapurkar, Advocate for the petitioner
Shri A. V. Palshikar, AGP for the respondent no. 1

**CORAM : Smt. Vasanti A. Naik and
Prasanna B. Varale, JJ.**

DATE : 7-12-2015.

Heard.

By this petition, the petitioner challenges the order of the Maharashtra Administrative Tribunal, Nagpur dated 29-10-2014 dismissing the Original Application filed by the petitioner.

On hearing the learned counsel for the parties and on a perusal of the impugned order, it appears that there is no scope for interference with impugned order in exercise of the writ jurisdiction. The Tribunal rightly observed that employment on compassionate ground is not a vested right and the petitioner had made the application for appointment on compassionate ground for the first time on 6-1-2007 when his father had expired on 19-8-1993 and the petitioner had attained majority on 15-7-1998. The Tribunal rightly held that the object of providing compassionate appointment is to reduce hardship at the time when the bread winner in the

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family dies. The Tribunal rightly held that if the family was in financial distress, there was no reason for the applicant to wait for about 9 years after attaining the majority, to make an application for compassionate appointment. Since the object of granting appointment on compassionate ground stands frustrated in this case in view of the lapse of more than 22 years from the death of the father of the petitioner, the application was rightly dismissed.

Since the order of the Tribunal is just and proper, the writ petition is dismissed with no order as to costs.

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