

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.3932 OF 2005**Majlas W/o Mayadas Bhatia Vs. The State of Maharashtra and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.V.D.Gunale, advocate for the Petitioner.
Mr.B.V.Virdhe, A.G.P. for the State.

**CORAM : S.V.GANGAPURWALA AND
N.W.SAMBRE, JJ.**
Date : 15.09.2016.

PER COURT :

1. Heard.
2. Mr.Gunale, learned counsel submits that the husband of the petitioner died on 13.4.2001, while in service of the Respondent College as a Watchman. The petitioner being the widow of the deceased immediately applied for appointment on compassionate ground. The Director also recommended the case of the petitioner, however, appointment order is not issued. The learned counsel relies on the Government Resolution dated 20.1.2000. According to the learned counsel, the petitioner is in need of the job. The financial condition of the petitioner is not good. The Respondents be directed to appoint the petitioner on class IV post. Upper age

limit is not prescribed for appointment on compassionate ground.

3. We have heard learned A.G.P. also.

4. The husband of the petitioner died in 2001. The purpose of appointing a person on compassionate ground is to provide immediate succor to the said person, to the family in distress. 15 years have lapsed after the death of the husband of the petitioner. The Respondents have filed affidavit and have raised suspicion about the legitimacy of the alleged marriage of the petitioner with the deceased. We may not enter into the said aspect. Considering the documents of the petitioner as filed and the age, the petitioner would be more than 50 years of age today. The son of the petitioner would be major.

5. The purpose of compassionate appointment itself would not survive after the long lapse of 15 years.

6. Considering the aforesaid aspect of the matter, the Writ Petition is disposed of. Rule discharged. No costs.

(N . W . SAMBRE , J .)

(S . V . GANGAPURWALA , J .)

Dt.15.09.2016.

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