

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 WRIT PETITION NO. 10089 OF 2015

SANJIVANI PRAKASH MAHAJAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. P.G.Rodge h/f Mr.Kudle Dhanaji S
AGP for Respondent State:Mr. S.K.Tambe
Mr.Ingole Patil R. K., Adv., for R/2 To 4

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CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: February 24, 2016

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PER COURT :-

1. Heard.
2. Admittedly, the petitioner's brother had applied for appointment on compassionate ground. In that view of the matter, in our opinion, the application filed by the petitioner in the year 2011, after 19 years of the death of father, was not competent for two reasons; firstly, the elder brother of the petitioner did apply for appointment on compassionate ground and, secondly, even if the limitation is reckoned from the date of death of the father of the petitioner, the petitioner filed application after 19 years after the death of the father when the petitioner was supposed to file such application immediately after attaining majority.

We do not see any merit in the writ petition. Hence, it is rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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AGP/-