

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 988 OF 2015

Swati Govinda Patil u/g Mother
Lilabai Govinda Patil .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Shaikh Mohamad Naseer A, Advocate for the Petitioner.
Shri B. V. Virdhe, A.G.P. for Respondent Nos. 1 and 2.
Shri Vijay Sharma, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
K. L. WADANE, JJ.
DATE : 28TH SEPTEMBER, 2016.**

PER COURT :

. The learned counsel for the petitioner states that, the application is made by the petitioner through her guardian seeking appointment on compassionate ground. The same is rejected on the ground that application is not made within one year of the death of father of the petitioner. According to the learned counsel, the application was made by minor stating her claim for compassionate appointment. The order passed is illegal.

2. Mr. Sharma, the learned counsel for the respondent No. 3

states that, the petitioner is not entitled for appointment on compassionate ground.

3. We have considered the submissions canvassed by learned counsel for respective parties. In fact, the application itself was not tenable at this stage, as the petitioner is a minor aged 12 years. The minor certainly could not have applied for an employment during minority. The application in fact could not have been entertained. The petitioner on attaining majority can claim her right according to the policy existing then.

4. In the light of the above, the writ petition is disposed of. The petitioner may make an application on attaining age of majority seeking appointment on compassionate ground in accordance with law and policy that would be applicable and in that event the impugned order would not come in the way of the petitioner. The writ petition is disposed of. No costs.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]