

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 91 OF 2015
IN
CRIMINAL REVISION APPLICATION NO. 52 OF 2005**

Balasaheb Nivruti Jagtap

... Applicant

vs.

The State of Maharashtra

... Respondent

Mr. Ganesh Jadhav, Advocate for the applicant.

Mr. D. R. More, Additional Public Prosecutor for the State.

Coram : Smt. R. P. SondurBaldota, J.

Date : 26th February, 2016.

P. C. :

1. This application for fixing up early date of hearing of the revision application is filed on the ground that the younger brother of the applicant has been refused appointment in the place of his father on compassionate ground on account of pendency of the revision application.

2. The revision applicant is the son of the original accused who died pending the appeal against his conviction. Mr. Jadhav, the learned advocate for the applicant tenders copy of the letter dated 12th January, 2015 received from the Maharashtra State Electricity Board to support the application. Perusal of the letter

shows that denial of appointment on compassionate ground is not on account of conviction of the father of the applicant. The denial has been on the ground that, as per the rules, appointment on compassionate ground is given only in respect of a person dying while in service. Father of the applicant had been removed from service. Thus, there is no case made out for expeditious hearing. Since, there are several other older matters pending for hearing, no special case in respect of the present applicant can be made. Hence, the application is dismissed.

[Smt. R. P. SondurBaldota, J.]