

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 1945/2016

(CHAITALI SURYABHAN BAGDE **VERSUS** THE CHIEF G.M., M.S.E.G.C.L., MUMBAI & OTHERS)

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

Court's or Judge's orders

Shri S.K. Bansod, counsel for the petitioner.
Shri R.E. Moharir, counsel for the R-1.
Shri S.S. Dorle, counsel for the R-3.

CORAM : SMT.VASANTI A. NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : JULY 18, 2016.

By this writ petition, the petitioner seeks a direction against the respondent nos.1 and 2 to provide appointment to the petitioner on compassionate ground.

The father of the petitioner, viz. Suryabhan, was working with the respondent when he expired while in service, in the year 2013. Suryabhan, it is informed by the respondents, had nominated the respondent no.3, his son, as a nominee for receiving the amount towards Provident Fund and Gratuity. The respondent no.3-Baba had also applied for appointment on compassionate ground and the respondent nos.1 and 2 have appointed the respondent no.3 on compassionate ground on 12.04.2016.

On hearing the learned counsel for the parties, we find that the relief sought by the petitioner cannot be granted in exercise of the writ jurisdiction. The petitioner claims to be the daughter from the second wife of Suryabhan. The respondent no.3 is the son from the first wife of Suryabhan. Moreover, Suryabhan had named the respondent no.3 as a nominee for receiving the amount towards Provident Fund and Gratuity. The rival claims made by the petitioner and the respondent no.3 for appointment on compassionate ground cannot be decided in exercise of the writ jurisdiction.

In the circumstances of the case, we dismiss the writ petition with no order as to costs.

The points raised in the petition are, however, kept open.

JUDGE

JUDGE

APTE

CERTIFICATE

I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.

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