

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.4950/2016

Suyog s/o Sunil Dange

...Versus...

The Registrar (Personnel), High Court of Judicature at Bombay, Appellate Side,
Mumbai – 32 and another

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

Court's or Judge's orders

Shri Sagar Katkar, Adv. h/f Shri N.R. Saboo, Adv. for petitioner

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

DATE : 18.11.2016

By this petition, the petitioner challenges the communication of the respondent no.2 – District and Sessions Judge, Wardha, rejecting the application made by the petitioner for appointment on compassionate ground.

In the circumstances of the case, we are not inclined to grant the prayer made by the petitioner. The father of the petitioner was working as a Junior Clerk in the District Court at Wardha when he expired while in service on 21.8.2004. It is the case of the petitioner that after he attained majority, he made an application for appointment on compassionate ground on 10.6.2015. The mother of the petitioner had remarried some time after the death of the father of the petitioner. It is the case of the petitioner that after the death of the father and the remarriage of

his mother, he started receiving pension. In the circumstances of the case, the petitioner was rightly denied compassionate appointment. More than 13 years have lapsed from the date of death of his father and the object of granting appointment on compassionate ground would stand frustrated, if appointment is granted to the petitioner, at this stage. Also, the petitioner was receiving the pension and had also received certain other retiral benefits that were payable to the father of the petitioner as the mother of the petitioner had remarried. It cannot be said in the circumstances of the case that the petitioner was living in extreme poverty and compassionate appointment should have been granted to him. We do not find any illegality in the action of the learned District Judge in rejecting the prayer of the petitioner for grant of compassionate appointment, in the circumstances of the case.

Since the relief sought by the petitioner cannot be granted, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE