

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

910 WRIT PETITION NO. 1534 OF 2017

BHAGWAT GANPAT TAYADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Patil Paresh B.
AGP for Respondents: Mrs.M.A.Deshpande

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 7th February, 2017

ORDER:

1. Issue notice to the respondents. Learned AGP accepts notice for respondents 1 and 2.

2. Mr. Patil, the learned counsel for the petitioner submits that the petitioner had moved for grant of compassionate compensation, however, the Chief Executive Officer did not consider the same. The petitioner had also moved higher authority i.e. Commissioner, Nashik Division, Nshik however, no cognizance is taken of the same.

3. Learned AGP submits that once conviction of the petitioner is confirmed by this Court, the petitioner would not be entitled for pension.

4. The compassionate pension can only be granted

if special circumstance exists. The Chief Executive Officer had rejected the said request. The petitioner, it appears has moved the Commissioner, Nashik Division, Nashik. The learned counsel submits that the petitioner would file afresh application with the Commissioner.

5. In case such an application is filed, the Commissioner may decide the same on its own on merits, in accordance with law, expeditiously, preferably within six months from the date of application.

6. Writ petition disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC