

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

WRIT PETITION NO.6871 OF 2016

Priyanka Prakashrao Yadav ..Petitioner

Vs.

The State of Maharashtra
and anr. ..Respondents

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Mr.S.N.Janakwade, Advocate for petitioner
Mr.P.N.Kutti, AGP for respondent no.1
Mr.N.R.Shaikh, Advocate for respondent no.2

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**CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.
DATE : APRIL 03, 2017**

ORDER :

Mr.Janakwade, learned Counsel for the petitioner submits that the application of the petitioner for appointment on compassionate ground, has been rejected by the respondents on the ground of limitation.

2. The father of the petitioner was dismissed from service in the year 2004. The U.L.P. filed by the father of the petitioner was

pending. In 2011, the father of the petitioner died. Thereafter, the U.L.P. came to be allowed in the year 2013. The learned Counsel for the petitioner submits that it is after the U.L.P. was allowed, the petitioner filed the application seeking appointment on compassionate ground and the said aspect needs to be considered. The learned Counsel submits that even the married daughter is entitled to get appointment on compassionate ground.

3. Mr. Shaikh, learned Counsel for respondent no.2 submits that the petitioner applied for appointment on compassionate ground in January, 2016. No explanation is given with regard to the delay and laches. The learned Counsel submits that the petitioner is residing with her husband at a different place. The family of the deceased is surviving since 2004. The respondent has given the retirement benefits almost to the tune of Rs. Eight Lakhs.

4. We have considered the submissions advanced by the learned Counsel for the parties. It appears that since 2004, the deceased and his family has survived. There are sons to the deceased father of the petitioner. The petitioner is married and is residing with her husband. The husband of the petitioner is also earning. The purpose of the appointment on compassionate ground after such a long slumber i.e. 17 years, would not survive.

5. Considering the above, we are not inclined to consider the prayer made by the petitioner in this petition. The petition as such, is dismissed. No costs.

[SANGITRAO S. PATIL, J.] [S.V. GANGAPURWALA, J.]