

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11508 OF 2016

Archana Chandrashekhar Bhagwat .. **Petitioner**

Versus

The State of Maharashtra and others .. **Respondents**

Shri S. T. Shelke, Advocate for the Petitioner.

Shri C. S. Kulkarni, A.G.P. for the Respondent No. 1.

Shri S. G. Sangale, Advocate for Respondent Nos. 2 to 4.

**CORAM : S. V. GANGAPURWALA &
S. M. GAVHANE, JJ.**

DATE : 16th November, 2017

PER COURT :

1. The petitioner seeks appointment on compassionate ground. The claim of the petitioner is rejected.

2. Mr. Shelke, the learned advocate submits that the father of the petitioner was working as Mukadam. While on duty he died on 1st September, 2003, at that time the petitioner was minor. On attaining the age of majority the petitioner applied seeking appointment on compassionate ground. Initially the application was rejected on the ground that the father of the petitioner was working in Group 'A' post. The said order was set aside by this

court and remitted the matter back. It is now rejected on the ground that mother of the petitioner was also in service of Zilla Parishad and one of the family member was also in employment. According to the learned counsel, the petitioner was living with her father. The mother had separated from the father. The petitioner was being brought up by the father and upon the death of father the petitioner was brought up by one Nandkishor, the paternal uncle and not by the mother. In view of that, the petitioner was entitled to get appointment on compassionate ground.

3. Mr. Sangle, the learned advocate for respondent Nos. 2 to 4 and the learned A.G.P. submits that in the earlier writ petition the petitioner did not take stand that the mother and father had separated and petitioner was living alone with father. Even the petitioner is married.

4. The father of the petitioner died on 1st September, 2003. The purpose of compassionate appointment is to provide immediate succor to the members of the family of the deceased. After 14 years the purpose of compassionate appointment would not survive. The petitioner is also married. The mother of the petitioner was in employment of Zilla Parishad who is now retired on attaining the age of superannuation as contended by the respondent.

5. Considering the aforesaid conspectus of the matter, no relief can be granted to the petitioner.
6. The writ petition as such is dismissed. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]

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