

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 916 OF 2014

Rajratna Yuvraj Sonawane .. **Petitioner**
Versus
The Union of India and another .. **Respondents**

Mr. S. R. Barlinge, Advocate for the Petitioner.
Mr. Sanjeev B. Deshpande, A.S.G. for Respondent
Nos. 1 and 2.

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

DATE: 12th September, 2018

PER COURT :

1. Mr. Barlinge, learned Advocate for the petitioner submits that father of the petitioner had died on 18.12.2002, while in employment with respondent – Ordnance Factory. He worked as Chargeman. Immediately upon death of the father of the petitioner the petitioner on 21.01.2003 applied seeking appointment on compassionate ground. The learned Advocate submits that under order dated 14.10.2004, respondent no. 2 – Director General, Ordnance Factories,

communicated that the application of the petitioner cannot be considered as the family of the petitioner is not under most grave economic distress. The learned Advocate submits that the respondents have failed to consider that the petitioner has in his family old mother and children to look after. The sister is also dependent upon the petitioner. The sister is divorced. All these facts have not been considered by the respondents.

2. Mr. Barlinge, the learned Advocate relies on the judgment of the Division Bench of this Court in a case of Aparna Narendra Zambre and another Vs. Assistant Superintendent Engineer and others reported in 2011 (5) ALL M.R. 346.

3. Mr. Deshpande, learned Assistant Solicitor General for the respondents submits that the respondents have considered all the aspects of the matter and thereby have taken conscious decision.

4. The purpose and object of providing

appointment on compassionate ground is to provide immediate succor to the family of the deceased dying in harness. The father of the petitioner died in the year - 2002. In the year - 2004 the application of the petitioner is rejected and the same is assailed in the year - 2013. The long time gap itself militates against the petitioner. The need for compassionate appointment would not survive after lapse of 16 years.

5. Considering the above, the writ petition is dismissed. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]

marathe