

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

WRIT PETITION NO. 167 OF 2018

Mayur Bhimaji Randhave .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri. Shrinivas S. Wagh, Advocate for Petitioner.

Shri. A. V. Deshmukh, A.G.P. for all Respondents.

**CORAM : S.V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATED : 06th June, 2018

PER COURT:

. Mr. Wagh, the learned counsel submits that the father of the petitioner was working as a Muster Clerk since 1980 with Respondent No. 2. The father of the petitioner died in the year 2000 while in service. The mother of the petitioner immediately applied for appointment on compassionate ground. No communication was received by the mother of the petitioner from the respondents. For the first time in the year 2015 the respondent communicated that the mother of the petitioner had

become age barred in the year 2004 and her name was removed from the wait list. Application was also given to substitute the name of the present petitioner however, same was also not considered. According to the learned counsel the benefit of extension of age by virtue of subsequent Government Resolution could have been given. The learned counsel relies on the order of the Division Bench of this court in Writ Petition No. 7793/2009 dated 09.12.2009.

2. We have also heard the learned A.G.P. for the respondents.

3. The father of the petitioner died in the year 2000. The mother had applied for appointment on compassionate ground in the year 2004. The mother of the petitioner had crossed the age of 40 years. In the subsequent Government Resolution of the year 2005, age was extended to 45 years. Even if we give benefit of extension of age to the mother of the petitioner, the mother of the petitioner would cross the age of 45 years in the year 2009. The claim can not be kept pending in perpetuity. After 18 years the very purpose of compassionate appointment would not survive. The object of compassionate appointment is to provide immediate succor to the family of the deceased dying in harness.

4. Considering all the aforesaid conspectus of the matter this court cannot come to the aid of the petitioner. In view of that writ petition is disposed of. No costs.

[SUNIL K. KOTWAL, J.]

ass/wp 167.18

[S. V. GANGAPURWALA, J.]