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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 1822 OF 2018**

Smt. Anjana Bhagawat Randive

.....Petitioner

V/s.

The Pune Municipal Corporation, through
its Commissioner and another

.....Respondents

Mr. Prashant Darandale for the Petitioner
Mr. R. M. Pethe for the Respondent no. 1**CORAM : R. M. SAVANT &
NITIN W. SAMBRE, JJ.****DATE : 31st OCTOBER, 2018.****P.C.**

The order of appointment dated 03/09/2015 in favour of the Respondent no. 2 by which she was appointed on compassionate basis as a Labour by the Pune Municipal Corporation ('PMC' for short) is taken exception to by way of the above Writ Petition. The Respondent no. 2 is the widow of one Manoj Bhagawat Randive who was the son of the Petitioner. The Petitioner's husband Bhagawat

Randive was an employee of the Respondent no. 1 i.e. PMC and who died in an accident whilst in employment. On his death, the son of the Petitioner namely Manoj was appointed on compassionate basis in place of his father i.e. Bhagawat Randive. Unfortunately, Manoj also died in an accident resulting in the Respondent no. 2 i.e. his wife being appointed on compassionate basis by the PMC. There is no dispute about the fact that as a heir of the deceased employee, the Respondent no. 2 would be entitled to be considered for compassionate appointment. The grievance made by the Petitioner in respect of the appointment of the Respondent no. 2 is that Respondent no. 2 in terms of the nature of appointment is obliged to look after the family. It is required to be noted that the Petitioner is receiving family pension on account of her husband who as indicated above was the employee of the PMC.

2 We are informed by the learned counsel for the Respondent no. 1 that Petitioner is receiving pension to the tune of Rs. 6000/-. The Respondent no. 2 is also appointed as a Labour by the PMC. We are informed that she has a child to look after within the means that are

available to her. We therefore do not deem this a fit case to exercise our Writ Jurisdiction having regard to the facts as aforestated.

3 The Writ Petition is accordingly dismissed.

[NITIN W. SAMBRE, J.]

[R. M. SAVANT, J.]