

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.7455 OF 2017

[Shailendrasing s/o Ravindra Rana .vs. State of Maharashtra and others]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Kunal Nalamwar, counsel for the petitioner,
Shri V.P. Maldhure, AGP for respondent no.1-State.

CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATED : APRIL 16, 2018.

Heard.

By this writ petition the petitioner seeks a direction against the respondents to consider the claim of the petitioner for appointment on compassionate basis.

The father of the petitioner was working as a Laboratory Assistant with the respondent nos.2 and 3 since the year 1977. The father of the petitioner expired while in service on 5.7.2001. The petitioner made an application for appointment on compassionate basis in a Class IV post on 15.12.2001. The application of the petitioner was not considered for a long time and the petitioner issued reminders to the respondents for appointing him on compassionate basis. When the petitioner sent a legal notice, the respondent nos.2 and 3 rejected the application of the petitioner vide communication dated 14.10.2015 on the ground that the petitioner was not eligible for compassionate appointment.

We are not inclined to consider granting the relief sought by the petitioner in the instant petition. The father of the petitioner had expired after rendering nearly 24 years of service. If the petitioner had applied for compassionate appointment in the year 2001 and the application of the petitioner was not

considered favourably, the petitioner ought to have approached this court within a reasonable time after making of the application. The petitioner has filed this writ petition nearly 17 years after the death of his father. The object of granting compassionate appointment would get frustrated if the application of the petitioner for appointment on compassionate basis is considered after a lapse of nearly 18 years from the death of his father.

In the circumstances of the case, since the relief sought by the petitioner cannot be granted, the writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

Gulande