

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2480 OF 2019

MANISHA DIPAK SAMUDRE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Koli Sunil P.

Addl.GP for Respondents No. 1 & 2 :

Mr. P. S. Patil

Advocate for Respondent No. 3 : Mr. V. M. Vibhute

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 11th NOVEMBER, 2019

PER COURT:

1. The father of the petitioner went missing in the year 1993. The applications are filed by the petitioner seeking appointment on compassionate ground in the year 2015 and 2018. The learned counsel for the petitioner submits that it is only after the Court gave declaration about the civil death of the father of the petitioner, the petitioner filed an application seeking appointment on compassionate ground. The petitioner is already living in miserable

condition. There is no source of income to the petitioner.

2. We have heard the learned counsel for the respondent also.

3. If the father of the petitioner was missing and on that ground the petitioner is seeking appointment, then the application is required to be filed within five years from the date the father of the petitioner went missing as per the Government Resolution dated 06.10.1989. The clause in that Government Resolution is abundantly clear. The father of the petitioner went missing in the year 1993, and for the first time the application is filed in the year 2015, in view of that the stand of the respondent cannot be faulted with.

4. Writ Petition stands disposed of accordingly.
No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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