

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

WRIT PETITION (WP) NO. 4590/2018

Shri Manoj s/o Devrao Harsule
Aged: 31 years, Occu: Student
R/o Vijay Nagar near Gopal Nagar,
In Railway Crossing, Amravati

..... PETITIONER

// VERSUS //

1. The Executive Engineer
Maharashtra State Electricity
Distribution Company Ltd.
Division Office, Yavatmal
Tah. & Dist: Yavatmal.
2. Smt. Anita Devrao Harsule
Aged: 41 years, Occu: Household
R/o c/o Gajanan Chaudhari,
Malipura, Ner (Parsopant)
Tah: Ner (Parsopant)
Dist: Yavatmal.
3. Pravin Devrao Harsule
Aged: 22 years, Occu: Student
R/o c/o Gajanan Chaudhari,
Malipura, Ner (Parsopant)
Tah: Ner (Parsopant),
Dist: Yavatmal.
4. Ku. Sonali Devrao Harsule
Aged: 32 years, Occu: Student
~~R/o c/o Gajanan Chaudhari,~~
~~Malipura, Ner (Parsopant)~~
~~Tah: Ner (Parsopant),~~
~~Dist: Yavatmal.~~

Correct Address

Ku. Sonali Devrao Harsule
Aged: 32 years, Occ: Student

R/o C/o Laxman Surjuse
Shashkiya Anusuchit Jati Mulanchi
Shala, Near, Diwan Saheb Dargah,
Tuljapur, Tah. Mangrulpir,
District- Washim.

.... RESPONDENT(S)

**Amended as per Court's
order dated 07.06.2019**

Shri D.M. Surjuse, Advocate for the petitioner
Shri S.V. Purohit, Advocate for respondent no. 1
Shri N.S. Deshpande, Advocate for respondent nos. 2 and 3
None for respondent no. 4

CORAM : A.S. CHANDURKAR AND URMILA JOSHI-PHALKE, J.J.

DATED : 14/07/2022

ORAL JUDGMENT : (PER:- A. S. CHANDURKAR, J.)

Rule. Rule made returnable forthwith. Heard the learned counsel for the parties.

2. It is the contention of the petitioner that his father who was working as Lineman with the respondent no. 1 expired on 14.10.2006. The petitioner seeks appointment on compassionate basis. It appears that the petitioner's father had contracted second marriage during the subsistence of his earlier marriage. In the Succession Case that was preferred by the first wife and her children, an order was passed on the basis of compromise dated 03.10.2007 wherein it was agreed by the family members that the petitioner would be entitled to claim appointment on compassionate basis. Pursuant thereto, the petitioner

made applications for appointment on compassionate basis. Those applications are dated 20.10.2008 and 13.02.2009. The respondent no. 1 informed the petitioner to submit various documents to enable consideration of his claim for compassionate appointment. Ultimately on 01.09.2017, the respondent no. 1 has called upon the petitioner to remove various deficiencies in the proposal for seeking compassionate appointment. In that backdrop, the petitioner has approached this Court praying that the decision be taken on the representations made by him seeking appointment on compassionate basis.

3. We find that on 01.09.2017 and 13.12.2017 the petitioner has been called upon to submit various documents to enable consideration of the prayer for appointment on compassionate basis. It would therefore be necessary for the petitioner to submit those requisite documents that would enable consideration of his claim by the respondent no. 1.

4. Accordingly, the writ petition is disposed of by permitting the petitioner to submit all necessary documents to the respondent no. 1 in terms of the letters dated 01.09.2017 and 13.12.2017. If the respondent no. 1 requires any further information from the petitioner same shall be communicated to the petitioner by the respondent no. 1 to enable consideration of his applications. If the petitioner supplies all

requisite documents as sought by the respondent no. 1, the respondent no. 1 shall consider the petitioner's prayer for appointment on compassionate basis expeditiously and communicate the outcome to the petitioner.

5. With these directions, the writ petition is disposed of. Rule accordingly. No costs.

6. Civil Application (CAW) No. 1961/2021 is also disposed of.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

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MAHADEV
GATE

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