

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
7 WRIT PETITION NO.1853 OF 2019

SHIVAJI BABURAO CHAVAN

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Irfan D. Maniyar, Advocate for the Petitioner.

Mr. S. G. Karlekar, AGP for Respondents-State.

Mr. Bhagwat A. Shinde, Advocate for Respondent No..

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CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATED : 12th FEBRUARY, 2020.

PER COURT:-

1. The application filed by the petitioner for compassionate appointment is rejected basically on the ground of delay.

2. Mr. Maniyar, learned counsel submits that the delay was caused because the petitioner was required to obtain legal heir ship certificate. The petitioner had earlier approached the respondents, but then the petitioner was directed to bring legal heir ship certificate. The time was lost in getting legal heir ship certificate and immediately upon getting the heir ship certificate application was made again. The same is rejected on the ground of delay.

3. We have heard learned counsel for respondents.

4. It is not disputed that the father of the petitioner was in the employment of respondents. He died while in employment. Upon his death, the elder brother of the petitioner was appointed on compassionate ground. He served with respondents. After the death of brother of the petitioner, the petitioner is claiming appointment on compassionate ground.

5. The petitioner is doing labour work. The compassionate appointment can only be claimed by a dependent. The respondents have considered that the application is filed after three years of the death of the deceased brother.

6. The purpose of the compassionate appointment is to provide immediate succor to the family of deceased dying in harness.

7. Considering the fact that, application was after three years, the respondents have rejected the same. We do not find any error in it.

8. Writ Petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S. V. GANGAPURWALA)
JUDGE