

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.7562 OF 2021

ARCHANA ULHAS TAYADE AND ANOTHER ..PETITIONERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Amarnath S. Sakhare, Advocate for the
Petitioners.

Mr. A. R. Kale, AGP for Respondents-State.

Mr. S. R. Patil, Advocate for Respondent Nos.2 and
3.

...

CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.

DATED : 07th DECEMBER, 2021.

PER COURT:-

1. The request of petitioner no.2 to substitute her name in place of her mother for compassionate appointment is refused.

2. It appears that, the same is refused on the basis of the Government Resolution dated 21.09.2017. The petitioners rely on the judgment of the Apex Court in a case of **State of Madhya Pradesh Vs. Ashish Awasthi** dated 18.11.2021 to submit that, the policy prevalent at the time of death of deceased employee is only required to be considered and not subsequent policy.

3. In light of that, respondents shall reconsider the proposal seeking substitution of the name of petitioner no.2 in place of her mother

considering the policy existing as on the date the father of the petitioner no.2 died on its own merits, in accordance with law, preferably within a period of (04) months.

4. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE