

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3170 OF 2021
IN
WRIT PETITION NO.5403 OF 2019**

Milind Dattatray KulkarniApplicant/Petitioner

Versus

Union of India and ors.Respondents

Mr. Shantanu Chandratre, advocate for the applicant/petitioner.

Mr. Y. S. Bhate, advocate for the respondent.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 17th NOVEMBER, 2021.

P.C. :

1. Heard Mr. Chandratre, advocate for the applicant/petitioner.
2. At the outset, Mr. Chandratre, learned counsel for the applicant, orally prayed for leave to amend the application so as to correct the typographical errors occurred in the schedule annexed at page Nos.5 and 6 of the application. Leave as prayed for, is granted. Necessary amendment, by way of carrying out correction, be carried out by Monday i.e, 22nd November, 2021.
3. By the present application, the applicant has prayed for an amendment to the petition. Learned counsel for the applicant submitted that during the pendency of the petition, the policy in relation to providing compassionate appointment has undergone some changes. Learned

counsel for the applicant further submitted that though the subsequent policy furthers the object of compassionate appointment, it prescribes the stipulation of period. Learned counsel for the applicant submitted that the stipulation of period fixed in the policy is not done by adopting rational approach and as such, the applicant/petitioner is desirous of raising a challenge to the policy by incorporating certain grounds as well as by adding consequential prayers in the petition. The proposed amendment is not changing the tenor of the petition. In view of the submissions of the learned counsel for the applicant, the application for amendment is allowed. Necessary amendment be carried out within two weeks from today.

4. Needless to state that the amended copy of the petition be served upon all concerned. On receipt of such amended copy of the petition, the respondents, if desirous, may file an affidavit-in-reply/additional affidavit-in-reply within three weeks.

5. The interim application, accordingly, stands disposed of.

6. Post the petition for further consideration on **5th January, 2022.**

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)