

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9158 OF 2022

MANJIT TOMMY NETLEKAR ALIAS MANJIT
SATISHKUMAR RANA
VERSUS
UNION OF INDIA THROUGH MINISTRY OF RAILWAY
AND OTHERS

...
Advocate for the Petitioner : Shri Ruchir Subodh Wani
Standing Counsel for Respondents 1 to 5 : Shri S.S. Deve
...

CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.

DATE :- 14th September, 2022

Per Court :-

1. The petitioner has put forth prayer clauses B and C
as under:-

- “B) *The respondent authorities by way of writ of mandamus or any other appropriate writ, order or direct, in the nature of writ of mandamus may kindly be directed to decide the representation and the notice dated 15.09.2020, 28.12.2020 given by the petitioner and letter by Divisional Accounts Office dated 01.01.2021.*
- C) *By issue of writ of mandamus or any other writ, order or direction, in the nature of writ of mandamus, the respondent authorities may kindly be further directed to give all the benefits of Tommy Dallu Natlekar to the present petitioner and further direct the respondent authorities to appoint the present*

petitioner on compassionate ground.”

2. The petitioner is actually the son of Kalpana and Santosh Kumar Rana. Tommy Dallu Netlekar was married to Chayabai on 15.11.2014. They had no biological child. Chayabai died on 20.11.2017. Tommy Natlekar adopted the petitioner vide the ceremony solemnized on 18.03.2018, when Kalpana and Santosh Kumar gave him in adoption. Since the Railway requires a declaration from the competent court that the petitioner was adopted by Tommy Natlekar, RCS No.171/2018 was filed by Tommy before the competent court and by the judgment dated 17.01.2020, the suit was decreed and the adoption deed dated 19.03.2018 was accepted.

3. Tommy passed away on 21.04.2020 while being treated in the hospital. The petitioner's representations pertain to the retiral benefits that were payable to Tommy and appointment on compassionate basis.

4. The learned advocate representing all the respondents submits that if this Court grants a time frame, the said two representations would be decided on their own merits.

5. In view of the above, this Writ Petition is disposed

off.

6. Respondent No.2 shall deal with the representations of the petitioner dated 15.09.2020 and 28.12.2020, on their individual merits and communicate the decision to the petitioner expeditiously and preferably on or before 30.11.2022.

kps

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)