

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

49 WRIT PETITION NO.10173 OF 2022

DNYANESHWAR RAMDAS KAMBLE

VERSUS

STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for Petitioner : Mr. Ajaysinha U. Chandel.

AGP for Respondent/State: Mrs. R. P. Gaur.

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CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 06th December, 2022.

Per Court :

1. The petitioner claims to be the brother of an employee of the MSRTC, Osmanabad. His sister was an employee of the MSRTC. She married and was living in her matrimonial home. On account of a family discord, she committed suicide. She passed away on 21st January, 2014. After eight years, the petitioner prays for compassionate appointment.

2. There are no averments in the petition as to whether the petitioner can be held to be eligible for compassionate appointment on account of the demise of a married sister. There are no averments as to the petitioner being dependent on her and residing with her, even after her marriage. There are no details of any other family members

earning livelihood. There are no pleadings as to whether the parents of the deceased were dependent upon her and were also residing with the deceased. So also, it is now eight years past the demise of the deceased sister.

3. Taking into account the law laid down by the Honourable Supreme Court in case of *Fertilizers and Chemicals Travancore Ltd. and others Vs. Anusree K.B., 2022 SCC OnLine SC 1331*, the purpose of compassionate appointment loses its significance with the passage of long period of time. Compassionate appointment is not a right and is merely a source of income to render immediate financial assistance to the bereaved family. When the petitioner or his parents were not dependent upon the lady employee, who was the sister of the petitioner and was residing in her marital home, we do not find it appropriate to entertain this petition.

4. The writ petition is, therefore, dismissed.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]

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