

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO.3896 OF 2021

Hemant Pandharinath Mali

...Petitioner

Vs.

The State of Maharashtra and Ors.

...Respondents

Mr. J. D. Khairnar for Petitioner.

Mr. N. K. Rajpurohit, AGP for the Respondent-State.

**CORAM : NITIN JAMDAR &
AMIT B. BORKAR, JJ.**

**DATED : 6 JANUARY 2022.
(Through Video Conferencing)**

P. C. :

Heard learned counsel for the parties.

2. The Petitioner by this petition is seeking appointment on compassionate basis. The father of the petitioner was working with the Respondent-Education Institute and expired on 9 May 2009. The Petitioner stated to have made an application for appointment on 29 May 2009. Nothing happened thereafter, neither on the part of the Respondent-Institute and nor the Petitioner.

3. The learned counsel for the Petitioner submitted that it was the first time that the Respondent rejected claim of the Petitioner by order dated 14 February 2020 and thereafter the Petitioner initiated legal proceedings.

4. Considering the object for which that appointment are granted that is to provide support to the family of the deceased employee and the law laid down by the Supreme Court in catena of decisions that time and delay are of essence while considering such claim, we cannot overlook the period between 2009-2020 where the Petitioner has not approached this Court. At this stage in the year 2022 it is not possible to issue direction to give compassionate appointment to the Petitioner in relation to the event of the year 2009.

5. In the light thereof, no relief can be granted. The petition is rejected.

(AMIT B. BORKAR, J.)

(NITIN JAMDAR, J.)