

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 5985/2019

(HEMANT RAMESHRAO DONGRE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms S.S. Dashputre, counsel for the petitioner.
 Ms H.N. Jaipurkar, A.G.P for the R-1.
 Ms Yoshita V. Paliwal with Shri V.K. Paliwal, counsel for the R-3 & 4.

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, JJ.

DATE : MARCH 16, 2022.

Heard.

The father of the petitioner was in service with the respondent no.4-School that was being run by the respondent no.3-Trust. He expired in harness on 08.02.2002. According to the petitioner, on 30.03.2002 the petitioner had made an application for grant of compassionate appointment. This was followed by another letter dated 25.12.2018. Since there was no response to the claim made by the petitioner, the petitioner has approached this Court.

In the reply filed on behalf of the respondent nos.3 and 4, it is denied that the application dated 30.03.2002 was received by the said respondents. It is further stated that there is no proper application of the petitioner on record.

We find that there is a dispute as to whether the petitioner has infact submitted the application dated 30.03.2002. The fact that the next application is dated 25.12.2018 is an aspect which cannot be ignored. In these facts the petitioner is permitted to make a fresh application for seeking appointment on compassionate basis. If such application is made before the respondent nos.3 and 4, it shall be considered in accordance with the relevant policy and in accordance with law. The decision thereon be taken within a period of six weeks from the date of receipt of such application. The order be communicated to the petitioner accordingly. The writ petition is disposed of with aforesaid directions. No costs.

(SMT. M.S. JAWALKAR, J.)

(A. S. CHANDURKAR, J.)