

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

WRIT PETITION NO. 4357 OF 2023

Ramnath Kashinath Nade

...Petitioner

Versus

The State of Maharashtra & Anr.

...Respondents

.....

Mr. S. S. Wagh – Advocate for the petitioner

Mr. V. M. Kagne – AGP for respondent/State

.....

CORAM : RAVINDRA V. GHUGE

AND

SANJAY A. DESHMUKH, JJ.

DATED : 18th APRIL 2023

PER COURT : -

1. The petitioner is 38 years of age and submits that he is happily married and has two children. He works on daily wages and earns a livelihood. Details as regards his source of income are not set out in the petition. His monthly income is stated to be Rs.10,000/- per month. The details of the service benefits received by the family, are also not disclosed.

2. The petitioner's father opted for voluntary retirement on health ground on 29th June, 2007. The petitioner's date of birth is 23.03.1984. He now prays for compassionate appointment in place of his father.

3. The petitioner's father has opted for voluntary retirement more than 16 years ago. The petitioner's name was in

the list of eligible candidates. His name is included in the waiting list of eligible candidates at serial no. 3. He belongs to backward category and has passed 8th std. The column under which his name is recorded is 'वारसाकडून नेमणूकीकरीता दिलेल्या अर्जाचा दिनांक'.

4. In view of the above, considering the law laid down in **Fertilizers and Chemicals Travancore Ltd. V. Anusree K. B.** reported in AIR 2022 SC 4766 and **The State of West Bengal Vs. Debabrata Tiwari and Ors.** reported in MANU/SC/0200/2023, we do not deem it appropriate to issue any directions to respondent no. 2.

5. This petition is, therefore, disposed off. Needless to state that we have not made any observations as regards the merits of the petitioner's claim.

[SANJAY A. DESHMUKH]
JUDGE

[RAVINDRA V. GHUGE]
JUDGE