

(1)

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

46 WRIT PETITION NO.12468 OF 2023

**SMT. SANDHYA ARUN DAUD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

....

Mr Shrimant Mundhe, Advocate for Petitioner;
Mr P. K. Lakhotiya, A.G.P. for Respondent Nos.1 & 2
Mr U. B. Bondar, Advocate for Respondent Nos.3 & 4

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 9th October, 2023

PER COURT:

1. The Petitioner is a widow. Her husband passed away on 05/12/2013. Her name was included in the eligible candidates waiting list dated 14/06/2013 for compassionate appointment. On 19/09/2019, she was declared medically unfit for performing duties. The date of birth of the first daughter of the Petitioner, who is eligible for compassionate appointment, is 20/09/1995. She completed 18 years of age on 20/09/2013. An application seeking compassionate appointment in her favour is filed on 06/12/2021, which is after 8 years of she becoming an adult.

(2)

Nevertheless, the said application was filed after two years from the date her mother was declared as medically unfit.

2. In view of the above, **this Writ Petition is disposed off.**

3. Let the Respondents/Zilla Parishad consider the representation of the Petitioner, dated 28/08/2023, in the light of **Dnyaneshwar Ramkishan Musane Vs. State of Maharashtra and others, 2020 (5) Mh.L.J. 381.**

4. We make it clear that, we have not expressed any opinion with regard to the merits of the claim of the Petitioner for compassionate appointment.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk