

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 WRIT PETITION NO.12004 OF 2023

DIPTI DILIP KAMBLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.S.G.Munde, Advocate for the Petitioner.
Mr.P.K.Lakhotiya, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
S.G.MEHARE, JJ.)

DATE : SEPTEMBER 29, 2023

PER COURT :

1. Leave to correct prayer clause "B".
2. The Petitioner's father, who was a permanent employee with the Osmanabad Zilla Parishad in the Animal Husbandry Department, passed away on 03.12.2001. The claim of the Petitioner's mother for compassionate appointment was rejected on 13.04.2009 as she became age barred. She is receiving pension. She has also received retiral benefits including the gratuity amount, 22 years ago. The Petitioner is the daughter of the deceased who is now 28 years old

and is happily married and has a family.

3. The Hon'ble Supreme Court has concluded that compassionate appointment is neither a right nor a source of employment and a claimant cannot be granted compassionate appointment after a passage of long period, in the following judgments :-

(a) *Fertilizers and Chemicals Travancore Ltd. And others. Vs. Anushree KB, (2022) SCC Online SC 1331.*

(b) *Director of Treasuries in Karnataka vs. Somyashree, (2021) SCC Online SC 704.*

(c) *State of Uttar Pradesh and others vs. Premlata, (2022) 1 SCC 30.*

(d) *Ahmednagar Mahanagar Palika vs. Ahmednagar Mahanagar Palika Kamgar Union, 2022 (III) CLR 859.*

4. In view of the above, we cannot issue any directions to the Respondents to grant compassionate appointment to the Petitioner, who is married and is having a family and that too after 22 years of the father's demise.

5. This Petition is, therefore, dismissed.

(S.G.MEHARE, J.)

(RAVINDRA V. GHUGE, J.)