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

WRIT PETITION NO. 6111 OF 2017

Chetan Sanjay Kamble

.. Petitioner

Versus

**The Islampur Municipal Council
& Ors.**

.. Respondents

Mr. Kuldeep U. Nikam for petitioner.

Ms. Shraddha Nakadi i/by Mr. Rupesh Bobade for respondent no.1.

Mr. R. P. Kadam, AGP for respondent nos.2 and 3/State.

**CORAM: S. V. GANGAPURWALA, ACTING CJ. &
SANDEEP V. MARNE, J.**

DATE: FEBRUARY 7, 2023

P.C.:

1. The grand-father of the petitioner, on attaining the age of superannuation, retired as a Watchman. He was employed by respondent no.1 – Municipal Council. The petitioner seeks appointment on compassionate ground in his place.

2. The learned advocate for the petitioner submits that though the grand-father of the petitioner retired as a Watchman, he was initially appointed as a Sweeper and if a Sweeper is promoted to Class-IV post and retired, the Lad-Page Committee report and recommendations are applicable to the petitioner. To substantiate his contention, the reliance is placed on Circular dated 30th June, 1994. According to the learned advocate the grand-father of the petitioner had nominated the father of the petitioner. He could not be given employment. Now it is the present petitioner who is entitled for the said benefit.

3. The CEO of the Municipal Council was also positive in considering the case of the petitioner and has sought guidance from the Divisional Commissioner and the Divisional Commissioner thereafter asked the Municipal Council to take decision. According to the learned counsel, the petitioner is in need of job. He is unemployed.

4. The petitioner claims to be the grand-son of one Shivaji Kamble, who retired from service on 30th September, 1992 on attaining the age of superannuation. The Circular dated 30th June, 1994 relied by the petitioner may not enure to the benefit of the petitioner in as much as the grand-son is not included in the list of persons eligible to be considered for appointment under the Lad-Page Committee's recommendations.

5. Even on the ground of efflux of time, it would be too late in the day now to consider the case of the petitioner. The grand-father of the petitioner retired more than 30 years back. The very purpose of Lad-Page Committee's recommendations would not survive. Moreover, under the scheme of the Circular dated 30th June, 1994, the petitioner (grand-son) is not included in the list of legal heirs or the person eligible for the benefit of the scheme.

6. In light of that, no further orders are necessary.

7. The writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)

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PANDIT
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