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

WRIT PETITION NO. 5832 OF 2023

PRAVIN
DASHARATH
PANDIT

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Date: 2023.04.29
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**Shri Sumit Bhagwan Dhanawade
& Anr.**

.. Petitioners

Versus

**The CEO of Nagarparishad
Ashta & Ors.**

.. Respondents

Mr. Laxman Kalel for petitioners.
Mr. B. V. Samant, AGP for respondent nos.1 and 2.
Ms. Manasi Pilankar for respondent no.3.

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

DATE: APRIL 28, 2023

P.C.:

- 1.** We have heard the learned counsel for the petitioners.
- 2.** The relief sought by the petitioners is that respondent no.1 should not appoint respondent no.3.
- 3.** The learned counsel for the petitioners submits that compassionate appointment is not a right. The father of respondent no.3 has retired and as such respondent no.3 could not have been appointed. The said post should have been advertised and after following selection process, the appointment should be made.
- 4.** The learned counsel for the respondent no.3 submits that father of respondent no.3 retired as a sweeper and as per Lad-Page Committee recommendations, the son of sweeper can be appointed.

5. It is not disputed that father of respondent no.3 has retired as sweeper and in his place respondent no.3 has been appointed. The same is permissible under the scheme. The petitioner certainly cannot get employment in the post held by father of respondent no.3.

6. In light of above, no case is made out for interference. The writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)