

jvs

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

WRIT PETITION NO. 5174 OF 2023

SALUNKE
J V

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Shrikant Subhash Daware	}	Petitioner
Versus		
Nashik Municipal Corporation	}	Respondent

Mr. Harshad M. Inamdar for the petitioner.

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

DATE: APRIL 21, 2023

P.C.:

- 1.** The petitioner seeks compassionate appointment in the place of his grandfather. His grandfather died while in service in the year 1958.
- 2.** The learned advocate for the petitioner submits that a Resolution was passed by the respondent to appoint the mother of the petitioner, but the said Resolution was never implemented. In light of that the petitioner would be entitled to claim appointment on compassionate ground in place of his grandfather as no member of the family of the grandfather was appointed on that ground.
- 3.** We have considered the submissions.
- 4.** It is not disputed that the grandfather of the petitioner died while in service in the year 1958. Even if it is assumed that a Resolution was passed to appoint the mother of the petitioner in place of grandfather in the year 1997, that itself would not give any right to the petitioner to seek appointment on compassionate ground. The claim is a stale one. The claim of the petitioner for

appointment on compassionate ground cannot be considered after lapse of 60 years of the death of the grandfather. The same would be against the very purpose of appointment on compassionate ground.

5. In light of that, no relief can be granted to the petitioner. The writ petition is dismissed. No costs.

(SANDEEP V. MARNE, J.)

(ACTING CHIEF JUSTICE)