

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12664 OF 2023

Komal Sunil Gite ... Petitioner.

V/s.

Tanmay Sunil Gite and Others ... Respondents.

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Mr. Vishwajit N. Sagave for the Petitioner.

Mr. N. K. Rajpurohit, AGP for Respondent Nos. 2, 3 and 4.

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**CORAM : NITIN JAMDAR, AND
MANJUSHA DESHPANDE, JJ.**

DATE : 16 October 2023.

P.C. :

The Petitioner challenges the order dated 13 July 2023 passed by the Maharashtra Administrative Tribunal, Mumbai in Original Application No. 1326 of 2022 filed by one Tanmay Gite granting him appointment on compassionate basis on demise of Government Servant Sunil B. Gite. The Petitioner's grievance is that though the order has been passed on the Original Application of Tanmay Gite granting him appointment on compassionate basis, the said Tanmay Gite is not related to Sunil B. Gite. The Petitioner claims to be the daughter of the deceased. The Petitioner was not a party in the

Original Application. If that be the position, remedy for the Petitioner is to approach the Maharashtra Administrative Tribunal with an appropriate application as these facts have not been brought to the notice of the Tribunal and, therefore, the Tribunal could not have had any opportunity to adjudicate upon the same. Without commenting on the merits of the case of the Petitioner or the Original Applicant, we dispose of the writ petition to enable the Petitioner to adopt the above course of action. The writ petition is accordingly disposed of.

(MANJUSHA DESHPANDE, J.)

(NITIN JAMDAR, J.)