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

WRIT PETITION NO. 13873 OF 2022

Shankar Anjayya Dhumadi

..... Petitioner

Vs.

**Municipal Corporation of Greater Mumbai
(BMC) and Ors.**

..... Respondents

Mr. Viky A. Nagrani for petitioner.

Mr. R. Y. Sirsikar for respondents/MCGM.

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

DATED : FEBRUARY 23, 2023

P.C.

1. The petitioner had filled an application seeking appointment on compassionate ground. The said application is not considered on the ground that the Surname of the petitioner and the Surname, as appearing in the service record of his father, do not tally.

2. The learned counsel for the petitioner submits that the petitioner has got the Surname corrected in the gazette notification. The learned counsel submits that the petitioner has been issued with the heirship certificate by the Municipal Corporation showing the petitioner as legal heir of Shri Anjayya Rangappa Dhumadi.

3. We have heard the learned counsel for the respondents also.

4. We may not rely upon the heirship certificate placed on record issued by the Administrative Officer of a Ward of the Corporation. It is for the Corporation to consider the same.

5. It appears that the petitioner has got his Surname corrected as Shankar Anjayya Dhumadi under the government gazette.

6. Be that as it may, it is for the Corporation to get satisfied about the heirship of the petitioner. The Corporation has to be satisfied itself that the petitioner is son of deceased Anjayya Rangappa Dhumadi. The Corporation may consider the government gazette notification and other documents produced by the petitioner on its own merits and shall take final decision on the application of the petitioner for compassionate appointment, preferably within three months.

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

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)