

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
WRIT PETITION NO. 552 OF 2021

(Shri Vilas s/o Laxman Koram VS. The State of Maharashtra & Ors.)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders.

Court's or Judge's order

Shri S.U. Ghude, Advocate for the petitioner.
 Shri S.M. Ghodeswar, Assistant Government Pleader for respondent Nos. 1 and 2/
 State.

CORAM : A. S. CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE : JANUARY 16, 2023

The father of the petitioner was in employment with respondent No.4 – School run by respondent No.3 – Society. He expired in harness on 23/3/2001. The petitioner seeks compassionate appointment on that premise. The communication impugned in this Writ Petition is dated 4/1/2008.

We find that when the father of the petitioner expired, the petitioner was a major and he could have taken immediate steps thereafter. The application seeking appointment on compassionate basis has been made on 10/8/2007. The learned Counsel for the petitioner relies upon the Government Order dated 14/9/2022 to submit that the petitioner's claim deserves to be considered. Perusal of this Government Order indicates that even if there is some delay in seeking appointment on compassionate basis, claim could be considered. However, if the purpose of grant of compassionate appointment is not being considered, the request can be denied. The last communication issued to the petitioner is dated 24/11/2008. Thereafter, no steps have been taken by the petitioner to agitate the claim for compassionate appointment. Period of more than 20 years has since elapsed from the death of petitioner's father.

We therefore do not find any case made out to interfere in writ jurisdiction. The petition suffers from unexplained delay and laches.

The Writ Petition is dismissed. No costs.