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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8807 OF 2024
(Subhash Ram Alias Rambhau Gitte Vs. The State of Maharashtra and Others)

Mr.S.A.Nagarsoge, Advocate for the Petitioner.
Mr.A.B.Girase, GP for Respondent No.1.
Mr.P.D.Suryawanshi, Advocate for Respondent Nos. 2 and 3.

**(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)**

DATE : AUGUST 22, 2024

PER COURT :

1. Leave to correct the synopsis since the contents of WP No.8774/2024 have been copied and pasted in this Petition. Correction be carried out within one week.

2. The Petitioner is the son of deceased Ram Sadashiv Gitte who passed away on 10.05.2012. He was working as a daily wage worker known as मैल कामगार, after accepting the 'MAARUF' settlement. By the impugned order, the name of the Petitioner is deleted from the list of candidates eligible for compassionate appointment for the reason that the benefits of the Kalelkar award were made applicable to those

employees who were covered by the 'MAARUF' settlement vide GR dated 06.07.2018 and compassionate appointment is permitted under the Kalelkar settlement, provided the application by an eligible candidate should be filed within one year, with a grace period of 2 more years. In short, the application should be filed within a maximum period of 3 years from the date of death. The Petitioner moved an application on 23.10.2020, which is after 8 years. Hence the impugned order.

3. Considering the fact situation that the Petitioner did not file an application within 1 year of the demise of his father and within the maximum period of 3 years, which ended on 10.05.2015 and the application is delayed of 5 years and 6 months, we do not find that the impugned order could be faulted. So also, the Petitioner is now 41 years of age.

4. Considering the peculiar facts as above, **this Writ Petition is dismissed.**

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)