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**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.9760 OF 2024

The State of Maharashtra through
its Secretary Public Works Department

PETITIONER

VERSUS

Umabai Madhav Mane and Another

RESPONDENTS

.....
Mr. V. M. Kagne, AGP for Petitioner - State

.....

**CORAM : NITIN JAMDAR &
RAVINDRA V. GHUGE, J.J.
DATE : 18 SEPTEMBER, 2024**

P.C.:

1. Heard learned AGP for the Petitioner – State.
2. Respondent No.1 - wife of one Madhav Mane, who was working with the State, after his death, had applied for appointment on compassionate basis. Respondent No.1 – wife sought substitution of her name with the name of Respondent No.2 - son, which was rejected by order dated 31 May, 2022, on the ground that substitution is not permissible. Being aggrieved, Respondents filed Original Application with the Maharashtra Administrative Tribunal, which is allowed by the impugned order.

3. The Tribunal has held that substitution is clearly permissible under the Government Policy. Respondent No.1 had not crossed the age of 45 and thus, was not age barred when she sought the substitution.

4. In light thereof, Writ Petition is rejected.

(RAVINDRA V. GHUGE, J.)

(NITIN JAMDAR, J.)