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

6 WRIT PETITION NO. 14408 OF 2023

SMT. JYOTI SANDIP PISE

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND ANOTHER

....

Mr P. R. Nangre, Advocate for Petitioner

Mr S. J. Salgare, A.G.P. for Respondent No.1/State

Mr A. S. Bajaj, Advocate for Respondent No.2

Mr U. U. Wagh, Advocate for Respondent No.3

CORAM : RAVINDRA V. GHUGE

AND

Y. G. KHOBRADE, JJ.

DATE : 22nd July, 2024

PER COURT:

1. After a few spells of hearing in this matter, the Petitioner and her mother-in-law, Respondent No.3 herein, had a dialogue with each other and the matter seems to be resolved.

2. The Petitioner/widow, who is seeking compassionate appointment with Respondent No.2/ Maharashtra State Electricity Distribution Company Ltd., agrees to pay 30% of her gross salary to Respondent No.3/mother-in-law towards maintenance. It is agreed that, there shall be no change in the percentage of this contribution, which would be continued till the lifetime of

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Respondent No.3. No request for increase in the percentage would be entertained. If the salary of the Petitioner increases, naturally, 30% of the amount would cause an increase in the amount paid to Respondent No.3.

3. The Petitioner has received the entire death service benefits amounting to about Rs.13 to 14 Lakhs.

4. The learned Advocate for the Petitioner submits that the copy of the Panchnama pertaining to the death of the Petitioner's husband has already been supplied to the Respondent/Company. A copy of the Accidental Death Report would also be supplied to the Respondent /Company. Mr Bajaj, the learned Advocate appearing for the Company submits that, after this document is received, the proposal of the Petitioner would be taken up for enlisting the Petitioner in the wait-list of the eligible candidates. In view of the above, the need for issuing consent letter, is dispensed with.

5. Shri Bajaj submits on instructions, that until she is given a regular appointment on compassionate basis, the

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provisional appointment given to her on job work basis for 10 days in a month, would be continued.

6. We record that, as the Petitioner/widow is 34 years of age and the only son born out of the marriage, is 4 years old, if the Petitioner unfortunately crosses the age of 45 years before receiving the compassionate appointment, her name will not be deleted from the list of eligible candidates.

7. By consent of the parties and to avoid any further complications, the amount of 30% of the gross salary shall be transmitted by the employer, directly to the Bank Account of Respondent No.3/mother-in-law, who shall tender her Bank Account details, as well as Cell Phone Number, Adhar Card Number, PAN Card Number, etc.

8. In the light of the above, **this Writ Petition is disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk