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

WRIT PETITION NO.3235 OF 2020

Chetan Shahaji Shinde @ Agalave

....Petitioner

V/s.

State of Maharashtra & Ors.

...Respondents

Mr. Vijaykumar R. Garad for petitioner.

Mr. A.I. Patel, Addl. G.P. a/w Ms. P. N. Diwan for respondent no.1.

**CORAM : K.R. SHRIRAM &
JITENDRA JAIN, JJ.**

DATE : 19th SEPTEMBER 2024

P.C. :

1 Mr. Garad for petitioner states that he will file an interim application for leave to amend the petition since there are no averments in the petition as to how petitioner would be entitled to be considered for getting service on compassionate ground. Counsel also states that there are errors in the verification clause which also requires to be corrected. Further, there is an averment in the petition that other legal heirs have no objection to petitioner getting the job on compassionate ground and an affidavit allegedly affirmed on 29th June 2015 is annexed to the petition. The affidavit has only one signature of Saraswati Shahaji Shinde Agalave but

others Ananji Shahaji Shinde Agalave and Sambhaji Shahaji Shinde Agalave have not signed the affidavit. Moreover, in the said affidavit, the name of Chetan Shahaji Shinde Agalave is also included whereas he himself is the petitioner. Therefore, it is quite clear that petitioner has not understood anything in the petition and the advocate is duty bound to present petitioner before the Chief Translator and Interpreter of this Court. To bring all these correct facts on record and to add the other legal heirs as respondents, Mr. Garad is seeking leave to file the above interim application.

2 Mr. Garad states that interim application will be lodged and copy served on respondents as well as proposed respondents and affidavit of service will be filed by 5th October 2024. If any one of these things are not done, the petition shall stand dismissed without further reference to the Court.

3 If petition is not so dismissed, petition be listed along with interim application on 17th October 2024.

(JITENDRA JAIN, J.)

(K.R. SHRIRAM, J.)