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

WRIT PETITION NO. 9933 OF 2019

Mandar Vinayak Chavan

... Petitioner

V/s.

The Municipal Corporation of
Greater Mumbai and Anr.

... Respondents

Mr. Pradnyumna M. Mokashi for the Petitioner
Mr. R.Y. Sirsikar for Respondent Nos. 1 and 2

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 19 JANUARY 2024

P.C. :-

The Petitioner has filed this Petition seeking appointment on the compassionate basis with the Respondent – Municipal Corporation. The Petition was filed in the year 2019. Reply affidavit is filed by the Municipal Corporation through Mr. Sandesh Sadanand Rane, Deputy Chief Fire Officer, wherein he has stated as under :-

“3. I say that Petitioner has filed present Petition for claiming the service on account of P.T. Case

(Preferential Treatment) due to death of his father Shri Vinayak Balkrushna Chavan. I say that Petitioner has made an application on 26.03.2014. As per the then existing rule proposed by Brihanmumbai Mahanagarpalika, the Petitioner was required to apply for service on P.T. (Preferential Treatment) within 5 years, when there was no provision for keeping the said post on hold. Petitioner was informed that he was not entitled for service on the Preferential Treatment basis which was received by him on 15.06.2018.

4. I say that as per the circular of BMC bearing No.PKA/04/2022-23 dtd. 25.08.2022 as per the clause -1, Petitioner is entitled for service on the Preferential Treatment basis, the proposal will be submitted again for considering him in the service of BMC on Preferential Treatment basis. Hereto annexed and marked as Exhibit 'A' is the copy of BMC Circular dated 25.08.2022."

2. The learned Counsel for the Petitioner states that he is satisfied with the stand taken by the Corporation as above.

3. In light of the above position, the Writ Petition is disposed of.

M.M. SATHAYE, J.

NITIN JAMDAR, J.

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PRAKASH
PAWAR

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