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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2930 OF 2023**

Avinash Madan Kamble Petitioner.

V/s

The State of Maharashtra & Ors. Respondents.

Ms. Priyanka Gupta h/f Mr. Rupesh Zade for the Petitioner.

Mr. R.P. Kadam, AGP for Respondent Nos. 1 to 3/State.

**CORAM: A.S. CHANDURKAR &
JITENDRA JAIN, JJ.**

DATE: 6th FEBRUARY, 2024

P.C.:-

1] Heard.

2] The challenge raised in this Writ Petition is to the Judgment dated 11/07/2019 passed by the Maharashtra Administrative Tribunal, thereby dismissing the Original Application preferred by the Petitioner seeking an appointment on compassionate ground. Father of the Petitioner was in service with the State Reserve Police Force. While on duty, he suffered 46% hearing disability on 10/11/1991. The Petitioner's father sought voluntary retirement on 01/12/2003 and after completion of period of three months, stood retired on

29/02/2004. The Petitioner who attained the age of majority on 05/05/2006 made an application for appointment on compassionate ground on 21/11/2016. This application was rejected on 07/05/2018. This rejection was the subject matter of challenge before the Maharashtra Administrative Tribunal. The Tribunal found that since the Petitioner's father sought voluntary retirement, the Government Resolution dated 17/07/2007 on which the Petitioner has relied was not applicable. The reason for seeking voluntary retirement was not indicated in the application. It is only for the first time on 21/11/2016 which was 10 years after the Petitioner attained majority that his father sought appointment of his son on compassionate ground. The Tribunal has held that longtime spent indicated that there was no dire need of any source of earning in the family.

3] We find that Tribunal has considered all relevant aspects while proceeding to dismiss the Original Application. There being no error of jurisdiction, we are not inclined to interfere in writ jurisdiction. The Writ Petition stands dismissed.

[JITENDRA JAIN, J.]

[A.S. CHANDURKAR, J.]