

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

WRIT PETITION NO. 16141 OF 2023

Tanuja Tukaram Patil

... Petitioner

V/s.

The State of Maharashtra and Ors.

... Respondents

Mr. Diptendu Bose i/b. Ashwin V. Sakholkar for the Petitioner
Mr. P.P. Kakade, Govt. Pleader with Ms. N.M. Mehra, AGP for the
Respondent Nos. 1, 2 and 4

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

DATE : 02 JANUARY 2024

P.C. :-

The Petitioner has sought a direction to the Respondents to pay the Petitioner family pension, gratuity and other dues payable in the employment of the Petitioner's father. The Petitioner has also sought compassionate appointment on the post of her father. According to the Petitioner, the Petitioner's father passed away on 26 April 2014. According to the Petitioner, the Petitioner's parents were diagnosed with HIV and the Petitioner is also suffering from the same disease. The Petitioner further contends that the pensionary benefits accrued to the Petitioner's father are not being extended to the Petitioner even though she is the only offspring.

2. The learned AGP states that the copy of the Petition is not served.

3. Considering the above facts, we dispose of the Petition directing that the Petition be placed before the Commissioner, Social Justice and Special Assistance Department as a representation. The Commissioner will call for necessary information from the Assistant Commissioner and the Head of the School where the Petitioner's father was working. The Commissioner will examine the legal and factual position and if the Petitioner is entitled to the benefits as sought for as above, will proceed to issue necessary directions. Needless to state that the Head of the School where the Petitioner's father was working will extend all the necessary co-operation to the Commissioner for taking a decision by supplying the record as may be available. The Commissioner, subject to earlier time bound commitments and after receipt of all the necessary records would take appropriate decision within a period of eight weeks thereafter. If the Petitioner is not entitled to any of the relief as sought for, then the Commissioner will state so by a written order.

4. The Writ Petition is disposed of.

M.M. SATHAYE, J.

NITIN JAMDAR, J.