

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

WRIT PETITION NO. 17384 OF 2024

Shri Rohit Devdas Mohite ... Petitioner
versus
State of Maharashtra and Others ... Respondents

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Mr.Nilesh Wable with Mr.Aditya M.Rakh i/b. Mr.Umesh R. Mankapure
for the Petitioner.

Mr.P.P.Kakade, Addl.GP for Respondent Nos. 1 and 2-State.

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**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 18TH DECEMBER, 2024

P.C.:

1. Pursuant to our order dated 16th December, 2024, the learned Advocate for the Petitioner has carried out an amendment to indicate that the Petitioner is 22 years of age and was 4 years old when his father passed way in 2006, 18 years ago. There are only two children to the deceased employee. The Mother's application for compassionate appointment, though tendered on 29th November, 2006, was kept pending until she crossed the age barrier of 45 years. The Petitioner became 18 years of age in 2020.

2. Considering the view taken by the Hon'ble Supreme Court in *Malaya Nanda Sethy vs. State of Orissa, AIR 2022 SC 2836*, issue **notice to the Respondents**, returnable on 4th February, 2025. The learned Addl.GP waives service of notice on behalf of Respondent Nos. 1 and 2, State.

3. Let the affidavits in reply be filed, at least, ten days prior to the returnable date.

4. All office objections, if any, to be removed, on or before 16th January, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 17th January, 2025.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)