



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.3821/2023

The State of Maharashtra, through its Secretary, Home Department, Mumbai and anr.
Vs. Akshay Ravindra Nitnaware

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms T.H. Khan, AGP for petitioner
Ms Naziya S. Pathan, Advocate for respondent

**CORAM : AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ..**

DATED : 16/08/2024

Ms T.H. Khan, learned Assistant Government Pleader does not dispute that there is provision for substitution of the name in the policy for compassionate appointment. The original wait list contained the name of the mother of the respondent, whose name was removed, on account of her attaining age of 45 years. The application dated 13.02.2020 (page 89) by the respondent therefore, will have to be considered and treated as an application for substitution. In view of, what has been held in *Kalpna wd/o Vilas Taram and another Vs. State of Maharashtra and others, 2024(4) Mh.L.J. (F.B.)312*, the impugned judgment dated 03.03.2022 is required to be sustained and the petition is dismissed.

The petitioner to act in terms of what has been held by the learned Full Bench in *Kalpna Taram (supra)*.

(SMT. M.S. JAWALKAR, J.) (AVINASH G. GHAROTE, J.)

Note: Correction as per order dated 30/08/2024.

R.S. Sahare