



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

WRIT PETITION NO.6718/2024

The State of Maharashtra and Ors.

Vs.

Shri Parag S/o. Gajanan Meshram and Anr.

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

Court's or Judge's orders

Mr. N. R. Patil, A.G.P. for Petitioners.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 22/11/2024.

. Heard Mr. Patil, learned Assistant Government
Pleader for the petitioners.

2. The challenge in the petition is to the judgment dated 06.05.2022 delivered by Maharashtra Administrative Tribunal, Mumbai, Bench at Nagpur in Original Application No.595/2019. The said Original Application was preferred by the respondents, who are legal heirs of deceased employee of the petitioner namely Gajanan Sampat Meshram, who was working as Chawkidar in Bhandara Forest Division. The said employee has expired on 12.05.2010 and his wife's name was impleaded on the wait list for the compassionate appointment. The respondent Parag, legal heir of the deceased employee, sought substitution, which appears to have been allowed. Though the said prayer has been rejected by the petitioner, the same was set aside by the Tribunal thereby quashing and setting aside the order dated 28.02.2017.

3. The issue which is sought to be raised in the petition is squarely covered by the Full Bench judgment in the matter of *Kalpana wd/o. Vilas Taram and Anr. Vs. State of Maharashtra and Ors.* reported in *2024 (4) Mh.L.J. 312* as this Court has already held that the substitution in the matter of grant of compassionate appointment is very much permissible.

4. In view of the Full Bench judgment of this Court in the matter of *Kalpana Wd/o. Vilas Taram* referred above, the petition no more survives, the same is dismissed as such.

5 We direct the order of the Tribunal be complied with forthwith.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)