



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 11244 OF 2016

Mangala Balaji Shinde

....Petitioner

VERSUS

The State Of Maharashtra And Others

.....Respondents

.....

Mr. A.M. Reddy h/f Mr. A.U. Chandel, Advocate for the Petitioner

Mr. U.S. Malte, Advocate for respondent No. 2 to 5

Mrs. P.V. Dama, AGP for State

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**CORAM : NITIN B. SURYAWANSHI AND
VAISHALI PATIL JADHAV, JJ.**

DATE : 18th NOVEMBER, 2025

ORDER :

1. By this petition filed under Article 226 of the Constitution of India, petitioner challenges letter dated 10.08.2016, by which compassionate appointment is denied to the petitioner.

2. Petitioner's father was working as Lineman with respondent No. 2 and he committed suicide on 18.08.1998. He left behind wife and daughter/petitioner. Petitioner's date of birth is 10.03.1981 and she became major on 10.03.1999. Before attaining the majority, petitioner was married on 31.05.1995. Petitioner's mother applied for the petitioner on 09.01.2009 for compassionate appointment. She was also called for the interview. Since the

application was filed belatedly, beyond the time stipulated in the Rules, no appointment could be given to the petitioner.

3. Respondents have filed reply stating that request of the petitioner for appointment on compassionate ground by application dated 09.01.2009 was contrary to the Rule 5, which was applicable at the relevant time. In terms of Rule 5, time limit for submitting the application for appointment on compassionate ground at the relevant time was 5 years from the date of death of the employee. Since petitioner became major on 10.03.1999, she should have submitted her application on or before 10.03.2004. Similarly, since the petitioner married on 31.05.1995, as per the scheme prevailing at that point of time, married daughters are not entitled for the compassionate appointment.

4. Learned advocate for the petitioner then placed reliance on the correction slip No. 46 dated 05.01.2012 issued by the respondents, by which definition of 'Family' is amended and for the first time married daughter is included in the definition of Family. Said argument is unacceptable as the said correction slip clarifies the position that, till the date of correction slip, married daughters are not entitled for appointment on compassionate ground.

5. For the aforestated reasons and as the very object of appointment of compassionate ground is to support the family at the time of sudden death of earning member of the family and death of petitioner's father has occurred in the year 1988, we do not find any merit in the writ petition. The writ petition is therefore dismissed.

(VAISHALI PATIL JADHAV, J.)

(NITIN B. SURYAWANSHI, J.)