



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13675 OF 2023

Saurabh s/o Atmaram Chandane ...Petitioner

Versus

The Union of India and others ...Respondents

.....
Mr. A.L. Kanade, advocate for the petitioner
Mr. Suresh W. Munde, counsel for respondent Nos.1 to 3
.....

**CORAM : SHREE CHANDRASHEKHAR, CJ.
& RAVINDRA V. GHUGE, J.**

DATE : 17th OCTOBER 2025.

PER COURT :

Aggrieved by the order dated 19th July, 2023, passed by the Central Administrative Tribunal, Mumbai Bench, in Original Application No. 205 of 2021, the petitioner, who is son of former employee viz. Atmaram Chandane, has invoked the jurisdiction of this Court, under Articles 226 and 227 of the Constitution of India.

2. In its order dated 19th July, 2023, the Tribunal held that the claim of the petitioner for compassionate appointment was considered by the Circle Relaxation Committee (CRC) in

its meetings held on 5th January, 2016, 6th January, 2016, 31st March, 2016, 6th April, 2016 and 13th May, 2016 and is rejected. It is also an observation of the Tribunal that the application submitted by the petitioner on 21st September, 2012 was incomplete and the same was completed by the petitioner and produced in proper format after sometime and the same has been accepted in the year 2014. The father of the petitioner died in harness on 11th October, 2011 and the aforesaid application moved by him for compassionate appointment came to be rejected on 1st September, 2016.

3. The learned counsel for the petitioner submits that there was delay on the part of the respondent - Authorities to decide the application of the petitioner for compassionate appointment and moreover, Original Application was dismissed on the ground of delay.

4. This is by now a settled law that no vested right accrues to claim compassionate appointment. There is a scheme for compassionate appointment, which is considered in view of the Constitutional provisions under Articles 14 and 16, is formulated by the employer to provide immediate relief to the family in distress, which lost its bread earner. The

delay on the part of the petitioner to challenge the order dated 1st September, 2016, before the Tribunal shall be construed as if the family has overcome the difficulties which it suffered on account of the death of the former employee. Even otherwise, the delay and laches on the part of the applicant – petitioner are the grounds of which the writ Court may decline to exercise its power under Article 226 of the Constitution of India. It is well remembered that the jurisdiction under Article 226 of the Constitution of India is exercised in furtherance of public good - public interest. No public interest is served if the writ Court exercises its jurisdiction under Article 226 of the Constitution of India to entertain the petition which is filed five years after the decision rendered by the writ Court.

5. The writ petition No. 13675 of 2023 is dismissed.

(RAVINDRA V. GHUGE, J.)

(CHIEF JUSTICE)

rlj/