

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

WRIT PETITION NO.3042 OF 2025

Sanjay Devji Jathyar

....Petitioner

Versus

The State of Maharashtra and Ors.

....Respondents

Mr. Suraj Naik i/b. Mr. R.D. Suryawanshi for the Petitioner.

Ms. D.S. Deshmukh, AGP for Respondent No.1.

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

DATE : 2nd APRIL, 2025

P.C. :-

1. The father of the Petitioner was a road worker appointed by the Executive Engineer, National Highway Corporation. He passed away while in service on 21st June, 1994. The widow receives pension. The amount of gratuity and other service benefits received by the widow, are not disclosed in the Petition.

2. The Petitioner was born on 14th April, 1983. When his father passed away, he was 11 years of age. On 14th April, 2001, he became 18 years of age. He moved an application for compassionate appointment on 20th October, 2005. The said application was rejected on 27th October, 2005 relying upon Clause 5(A) of the Government Resolution dated 26th October, 1994. The Petitioner did

not challenge the said rejection order. There is no delay caused by the Respondent establishment.

3. After 18 years, at the age of 40 years, in order to bridge the delay, the Petitioner moved a fresh application on 20th July, 2023 for compassionate appointment. Once his application for compassionate appointment was rejected on 27th October, 2005, there is no purpose in filing application after application, which the Petitioner once again did on 24th August, 2023. Then he got legal notices issued.

4. The fact remains that this Petition has been filed after 31 years of the passing of the Petitioner's father. The Petitioner is now 42 years of age. In the meanwhile, the Petitioner got married. The Petitioner also has children. However, none of these facts are disclosed in the Petition.

5. Considering that the Petitioner did not take any steps to seek redressal of his grievance after the rejection of his application on 27th October, 2005 and with the passage of 31 years from the date of the demise of his father, we do not find that this Petition can be entertained for grant of compassionate appointment.

6. **This Petition is, therefore, dismissed.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)