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

WRIT PETITION NO. 2246 OF 2025

Nikhil Jaywant Katrat ... Petitioner
Versus
The State of Maharashtra and ors. ... Respondents

Mr. Saytajeet A. Rajeshirke, for the Petitioner.
Mr. K.S. Thorat, B Panel, AGP for Respondent Nos. 1 to 3-State.
Mr. Gautam R. Kulkarni, for Respondent Nos. 4 & 5.

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

DATE : 05th MARCH, 2025

P.C. :

1. Office to accept the vakalatnama on behalf of Respondent Nos. 4 & 5.
2. On 31st January, 2024, the deceased (Petitioner's father) had made an application for voluntary retirement. On 27th April, 2024, father of the Petitioner was relieved from employment by Respondent No.3 on account of medical reasons, with effect from 30th April, 2024. After receiving voluntary retirement, the father of the Petitioner passed away on 05th August 2024. The Petitioner's application dated 9th September, 2024 seeking employment in place of his father who was granted

voluntary retirement with effect from 30th April, 2024, is pending with the Management.

3. The learned Advocate for the Management submits that the proposal of the Petitioner would be forwarded with remarks, to Respondent No.2.

4. In view of the above, **this Petition is disposed off** with the observation that Respondent No.2 would decide the said application/proposal as and when the same is forwarded by the Management to its office, within 45 days thereafter. If the application of the Petitioner is turned down and compassionate appointment is refused, the Petitioner will be at liberty to avail of a remedy as may be permissible in law.

5. We make it clear that we have not expressed any opinion as to whether any candidate is entitled to compassionate appointment after the bread earner/father is relieved from service by way of voluntary retirement. Respondent No.2 is at liberty to decide the proposal on its own merits.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)