

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

WRIT PETITION NO.16312 OF 2024

Tarabai Baburao Jagtap and anr. V/s. The Commissioner, Nashik Mahanagarपालिका, Nashik.	... Petitioners ... Respondent
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Mr. Ravindra S. Pachundkar Patil, *Advocate for the Petitioners.*
None for the Respondent.

CORAM : SANDEEP V. MARNE, J.

Dated : 26 February, 2025.

P.C. :

1. The Petition challenges judgment and order dated 18th May, 2024 passed by Member, Industrial Court, Nashik dismissing Complaint (ULP) No.38 of 2022. The complaint was filed by the Petitioners seeking compassionate appointment to Petitioner No.1. Petitioner No.1 claims to be the adoptive daughter of the deceased employee. The employee-Mohanabai Baburao Jagtap passed away on 27th July, 1996, whereas the adoption is shown to have effected five months earlier on 8th February, 1996. Curiously, Petitioner No.1 was already married before 1993, before her alleged adoption. By now, period of 29 years has elapsed from the date of death of the employee. The complaint of unfair labour practice was instituted on 5th February, 2022. The entire objective of grant of compassionate appointment is to provide immediate succor to the indigent family who loses income

source on account of sudden death of the employee. It cannot be contended that after expiry of period of 29 long years from the date of death of the employee, there is any need for the family for provision of any immediate financial assistance. The compassionate appointment is not the matter of right. The Industrial Court has rightly dismissed the complaint.

2. I therefore do not find any valid ground to interfere in the impugned order passed by the Member, Industrial Court, Nashik.

3. Petition is accordingly rejected.

(SANDEEP V. MARNE, J.)