



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 2364 of 2024

Smt. Ruspelli Bhagya Kishaiya

vs.

General Manager, Western Coalfields Ltd and others

Mr. A. A. Dhawas, Advocate for petitioner.

Mr. S. S. Ghate, Advocate for respondent nos. 1 to 4.

CORAM :- ANIL S. KILOR and RAJNISH R. VYAS, JJ.

DATE :- 26th NOVEMBER, 2025

Heard learned counsel for the parties.

2. Claim of the petitioner no.2 for grant of compassionate appointment in place of his father was denied by the respondent-Western Coalfields Limited on the ground that on the date when his claim was considered, he was 35 years 4 months and 9 days of age; whereas, the maximum age criteria for such appointment is 35 years.

3. It is the case of the petitioner no.2 that he moved application on 03.01.2021 and on 05.02.2021 he completed the age of 35 years. It is therefore submitted that on the date of application for grant of compassionate appointment, the age of the petitioner no.2 was less than 35 years and as such, rejection of his claim is illegal and arbitrary.

4. We do not find any substance in the aforesaid argument for the reasons that there is no delay on the part of the respondents to consider the request of the petitioner no.2 for grant of compassionate appointment. Within a period of 4-5 months the claim of the petitioner no.2 was considered and on the date of consideration of the claim of the petitioner no.2, it was found that he crossed the age of 35 years which is a limit prescribed for appointment.

5. In the circumstances, we do not find any error committed by the respondent no.2 in denying the appointment on compassionate ground to the petitioner no.2 as he crossed the age of 35 years. Accordingly, the writ petition is dismissed. No order as to costs.

(RAJNISH R. VYAS, J.)

(ANIL S. KILOR, J.)

Andurkar.