



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

CIVIL APPLICATION (CAW) NO.3139/2024 AND
WRIT PETITION NO. 4601/2023

Mangesh Bhagwan Makade Vs. The Zilla Parishad and Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. S. Warulkar, Advocate for Petitioner.
Mr. S. R. Badge, Advocate h/f. Mr. R. S. Khobragade, Advocate for
Respondent Nos.1 and 2.

CORAM : NITIN W. SAMBRE AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : 09/01/2025.

. Heard.

2. The prayer for amendment is allowed.
Amendment to be carried out accordingly.

3. The challenge is to the communication dated
05.05.2022 whereby the claim of the petitioner for grant of
compassionate appointment in place of his deceased father
Bhagwan Lakhaji Makade, who was working as an
Attendant came to be rejected.

4. The father of the petitioner expired on
13.01.2010.

5. The claim of the petitioner was rejected on the
ground that the younger brother of the petitioner is
working in military ITBP.

6. The fact remains that the younger brother of the
petitioner was recruited subsequent to the death of the
father i.e. 13.01.2010 and also after the name of the
petitioner was taken on the wait list of the candidate who
are seeking compassionate appointment.

7. In view of the above, the position in our opinion, particularly the financial position as was existing on the date of death and the application for grant of compassionate appointment is required to be taken into account.

8. That being so, the order impugned dated 05.05.2022 is hereby quashed and set aside.

9. We direct the respondent – Chief Executive Officer, Zilla Parishad, Bhandara to reconsider the claim of the petitioner for grant of compassionate appointment in the wake of the aforesaid observations expeditiously and communicate the decision within a period of three months from today.

10. The petition stands disposed of in aforesaid terms.

(MRS. VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)