



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

WRIT PETITION NO. 2800 OF 2019

(Zilla Parishad Gadchiroli vs. Shri Rahul Tulshiram Dahagaonkar)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. A.R.Fule, Advocate for petitioner.
Mr. P.R.Agrawal, Advocate for respondent.

CORAM : SIDDHESHWAR S. THOMBRE, J.
NOVEMBER 13, 2025

- 1) Heard learned counsel for the respective parties.
- 2) The present petition is directed against the order dated 09/10/2018 passed by the learned Member, Industrial Court, Chandrapur in Complaint (ULP) No.81/2014, whereby the Complaint filed by the respondent herein came to be allowed and the petitioner was directed to issue appointment order on compassionate ground.
- 3) During the pendency of the present petition, this Court by order dated 17/02/2022 showed displeasure for non-compliance of order of Industrial Court by the petitioner Zilla Parishad. Subsequent thereto, on 24/02/2022 learned counsel for the petitioner submitted that the order passed by the Industrial Court has already been complied with.
- 4) Learned counsel for the petitioner points out that the brother of the respondent was appointed as Van Rakshak in the forest department, therefore, the respondent is not entitled to claim the appointment on compassionate ground.
- 5) In support of his contention he relies upon the judgment of this Court in the case of ***Shubham Surendra Kumar***

Ishrawat vs. State of Maharashtra and others in Writ Petition No.3187/2022 decided on 03/10/2023, and submits that the learned Industrial Court ought not to have entertained the said application.

6) Learned counsel for the respondent submits that respondent's brother was appointed in the year 2012, whereas the application for compassionate appointment was filed in the year 2008, when his brother was not appointed. In support of his contention, he relies upon the judgment of Hon'ble Apex Court in the case of *Maharani Devi and another vs. Union of India 2010(1) Mh.L.J. 31*, and contended that the learned Industrial Court has rightly considered every aspect of the matter.

7) I have gone through the order passed by the learned Industrial Court. In view of the fact that when the application was filed and it was within limitation. The delay occurred because the Zilla Parishad did not act promptly. In fact the purpose of giving compassionate appointment is to provide the family members who have lost their bread earner an immediate relief. As there was delay on the part of the Zilla Parishad in considering the application of the respondent, he approached the Industrial Court.

8) On perusal of the order passed by the Industrial Court, it is evident that the Industrial Court has considered the matter as per the policy and there is no perversity in the order. In view thereof, the petition is dismissed. No order as to costs.

(SIDDHESHWAR S. THOMBRE, J.)