



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

WRIT PETITION NO. 7601 OF 2022

(Shreyas s/o Hemraj Bopche Vs. Municipal Council, Gondia and ors)

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

Court's or Judge's orders

Mr. Virat Mishra, Advocate for petitioner,
Mr. M.I. Dhatrak, Advocate for respondent No. 1,
Mr. A. Kapgate, Advocate for respondent Nos. 2 and 3.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 27-02-2025

Heard Mr. Mishra, learned Counsel for petitioner. The application of the petitioner for being appointed on a compassionate basis, in view of the demise of his mother, who was working as a Primary Teacher with the respondent No. 2 has been rejected by the impugned communications dated 28.12.20 22(p30) and 21.6.2022 (p31).

2. Contention of Mr. Mishra, learned Counsel for the petitioner is that the petitioner had applied for being appointed on compassionate basis, immediately upon attaining majority, on account of which, due to non consideration of this fact the impugned orders cannot be sustained.

3. Mr. Kapgate, learned Counsel for respondent No. 2, submits that the delay which has occasioned in the matter, defeats the entire purpose of grant of compassionate appointment and therefore, rejection is correct.

4. The purpose of the policy for grant of compassionate

appointment is to provide immediate succor to the family, on account of untimely demise of the bread earner. In the instant case, the mother of the petitioner, who was primary teacher with respondent No. 2 passed away on 16.10.2008 and application for compassionate appointment came to be made by the father of the petitioner on 3.11.2008, which is beyond the period of one year from the demise of his wife. Though it is contended that the father of the petitioner, on 13.8.2009 had given NOC in favour of the petitioner, who upon attaining majority on 17.7.2019 had again applied, we find that the passage of time from 2008 till 2020, defeats the very object, and purpose for grant of compassionate appointment. We therefore, are not inclined to entertain the petition. The same is dismissed. No costs.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

Belkhede