



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

WRIT PETITION NO. 5713 OF 2024

AASHA RAMKRUSHNA MUNESHWAR

...Vs...

EXECUTIVE ENGINEER, O AND M DN., MSEDCL, DEORI, DIST. GONDIA AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Shri H.N.Sangode, Advocate with Shri B.C.Chandrakapure, Advocate for petitioner.

Shri Rushikesh Mahajan h/f. Shri A.M.Chandekar, Advocate for respondent no. 1.

Shri A.D.Mohgaonkar, Advocate for respondent nos. 1 and 2.

**CORAM: SMT. M.S.JAWALKAR AND
PRAVIN S. PATIL, JJ.**

DATED : 11th JULY, 2025.

Shri Rushikesh Mahajan, the learned counsel h/f. Shri A.M.Chandekar, learned counsel appearing for respondent no. 1 – Executive Engineer submits that, Shri A.M.Chandekar, learned counsel seeks discharge from the matter as Shri A.D. Mohgaonkar, learned counsel is appearing for respondent nos. 1 and 2. As such, the earlier counsel Shri A.M.Chandekar for respondent no. 1 is hereby discharged.

2. Heard Shri B.C. Chandrakapure, the learned counsel for the petitioner and Shri A.D.Mohgaonkar, learned counsel for respondent nos. 1 and 2.

3. Though respondent nos. 3 and 4 are made parties to the petition, notices were not issued to them. In our considered opinion, there is no necessity to issue notices to respondent nos. 3 and 4. Considering their age

as 60 years and 69 years respectively, they would not have any claim on compassionate appointment.

4. The petition is heard finally by the consent of the parties.

5. The petition pertains to the claim of the petitioner for appointment on compassionate ground on account of demise of her husband Ramkrishna Muneshwar who was working with respondent nos. 1 and 2. The petitioner is aggrieved by the demand of NOC by respondent nos. 1 and 2 by communication dated 18/01/2024. The NOC was demanded from the parents of the deceased. The age of the father-in-law is 69 years and that of the mother-in-law is 60 years and therefore, under the policy of compassionate appointment, they will not be eligible to receive any employment. In that view of the matter, the insistence of respondent nos. 1 and 2 for NOC from the in-laws would not be justified. Therefore, if the application of the petitioner satisfies the other requirements of the policy, the same shall be considered by respondent nos. 1 and 2 in terms of the policy and shall not insist on NOC of in-laws. The petition is **allowed** and **disposed of** in above terms.

(PRAVIN S. PATIL, J.)

(SMT. M.S.JAWALKAR, J.)