



{1}

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 WRIT PETITION NO. 2082 OF 2026

Ram Ekanath Sarode

VERSUS

The State Of Maharashtra And Others

.....

Mr. Anand V. Patil (Indrale), Advocate for Petitioner

Mr. S.B. Pulkundwar, AGP for Respondents

.....

CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.

DATE : 25 FEBRUARY, 2026

PER COURT [Per Hiten S. Venegavkar, J.] :-

1. The present petition is filed by the petitioner challenging the order dated 10.11.2011 passed by Respondent No. 3, thereby rejecting the claim of the petitioner for appointment on compassionate ground.

2. The petitioner states that his father, who was working with respondent No.2-University, expired on 13.11.2006, and therefore, the present petitioner, being the legal heir, preferred an application seeking a compassionate appointment on 15.04.2008. The application was considered by the respondent authorities and came to be rejected on 10.01.2011 on the ground that the same had not been submitted within the prescribed period of one year for seeking compassionate appointment. The learned advocate for the petitioner submits that, in accordance with the Government Resolution dated 21.09.2017, it was

{2}

the duty of the respondent authorities to apprise the family of the deceased employee that they were entitled to seek employment for one family member on compassionate ground. He submits that this information was never provided and, therefore, as and when the petitioner acquired knowledge, he submitted an application seeking appointment on compassionate grounds. He, therefore, submits that the date of knowledge ought to be considered while determining the period of limitation.

3. We have perused the document annexed to the present petition as well as the Government Resolution dated 21.09.2017. It is an admitted position that the application of the petitioner was preferred in the year 2008, which is over and above the period of limitation prescribed for seeking compassionate appointment. On the date on which his application was taken up for consideration in the year 2011, firstly, the Government Resolution dated 21.09.2017 was not in existence and, therefore, the only legal position which subsisted on that date when the application was decided was that an application was required to be made within a period of one year from the date of demise of the deceased employee. Thus, the petitioner cannot today take the benefit of the subsequent Government Resolution and policy decision of the State Government to his advantage and contend that the

{3}

benefit of the Government Resolution dated 21.09.2017 ought to have been extended to him in the year 2011. Secondly, the order challenged in the present petition, rejecting the application for appointment on compassionate grounds, was passed by the authorities in the year 2011, and since then, till date, the record does not suggest that the petitioner has taken any further steps to challenge the same and get it set aside. is almost after a period of 12 years that the petitioner has approached this Court. With such a huge delay and laches, the petition under writ jurisdiction cannot be considered. We do not find any merit in the present petition, and therefore, the writ petition stands dismissed.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane