



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

934 WRIT PETITION NO. 1860 OF 2026

Govind Dnyaneshwar BangarPetitioner

VERSUS

Maharashtra State Electricity
Distribution Company Ltd & othersRespondents

Mr. R. N. Dhakane, Advocate for the Petitioner.

**CORAM : SMT VIBHA KANKANWADI
& HITEN S VENEGAVKAR, JJ.**

DATE : 11th MARCH, 2026.

PER COURT :

1. Present petition has been filed for challenging the impugned communication dated 18.12.2025 issued by Respondent No. 3 and for direction to the Respondents to grant compassionate appointment to the Petitioner on suitable post commensurate with his qualification.

2. Heard learned Advocate for the Petitioner. There is no necessity to issue notice to the Respondents.

3. Learned Advocate for the Petitioner submits that Petitioner's real brother late Eknath Dnyaneshwar Bangar was serving as technician with Sub-Division Paithan in the Respondent/company.

Unfortunately, Eknath expired on 29.08.2024 in harness leaving behind Respondent No. 4/widow, aged mother and father. Respondent/company has framed a policy that compassionate appointment under Circular No. 28 dated 16.04.2025, Circular No. 37 dated 03.11.2010 (clause 10) and corrective Circular dated 09.08.2017. In this circular, it has been provided that the compassionate appointment can be granted one eligible dependent of the deceased employee. Respondent No. 3 by letter dated 24.04.2025 had called upon the legal heirs of deceased especially Respondent No. 4/widow to submit an application along with necessary documents for consideration of appointment on compassionate ground. The Petitioner states that he had made an application on 16.07.2025 to Respondent No. 3 for appointing him on compassionate ground. In his application, he has mentioned that after the death of his brother, the parents are dependent on him.

4. The said application came to be rejected by Respondent No. 3 on 07.08.2025 on the ground that the Petitioner does not fall within the definition of family and as per the legal heirship certificate dated 10.08.2025, issued by learned Civil Judge, Senior Division, Aurangabad, only widow and mother are the legal heirs of deceased Eknath. Respondent No. 3 has made further communication to

Respondent No. 4 calling upon him to submit application. Accordingly, Respondent No. 4 had submitted application on 16.12.2025 but it was in respect of her unwillingness to avail appointment on compassionate ground due to personal reasons. She had stated that the application filed by the Petitioner be considered in her place. Pursuant to that, the Petitioner has again submitted application dated 16.12.2025 to Respondent No. 4. However, it came to be rejected by communication dated 18.12.2025. Hence the petition.

5. Learned Advocate for the Petitioner submits that the Petitioner is meritorious person. He is unemployed and is responsible to maintain the parents. It is further submitted that Respondent No. 4 has re-married and therefore, she is not in need of employment. The Petitioner is in need as well as entitled for the said appointment.

6. We have gone through the documents especially, the policy, circular dated 09.08.2017. The said circular makes reference to the Government Resolution dated 17.11.2016 that means the Respondent/company has approved the rules framed by the State Government for the appointment on compassionate ground. If we consider the circular as well as Government Resolution, then

certainly the brother cannot be said to be the member of family of the deceased who would then be entitled to be appointed on compassionate ground. The brother depending on unmarried employee is included, however, deceased Eknath was married and therefore, sub-clause 5 of Clause 1 of Government Resolution dated 17.11.2016 is not applicable to the Petitioner. Now, Respondent No. 4 ought to have been held entitled for getting compassionate appointment and even it appears from the record that Respondent No. 4 is not interested in getting appointment. However, that does not mean or gives right to the Petitioner to seek appointment on compassionate ground due to the death of his brother in harness.

7. In view of above facts, we do not find any illegality or error committed by Respondent No. 3 in rejecting the application by communication dated 18.12.2025. Hence, we do not take this to be a fit case where we should exercise powers under Article 226 of the Constitution of India. Petition stands dismissed accordingly.

(HITEN S. VENEGAVKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

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