

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7386 OF 2025

Viki Dnyaneshwar Ghatake.

...Petitioner.

Versus

MSEDCL, Maharashtra State Electricity

Distribution Corporation Ltd. & Ors.

...Respondents.

Mr. Jenish D. Jain, Advocate for Petitioner.

Mr. P.P. Kakade, Addl. G.P. a/w. Mr. A.A. Alaspurkar, AGP for
Respondent/State.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 10th FEBRUARY, 2026

P.C.:-

1. By this Writ Petition, the Petitioner is seeking a direction to Respondent Nos. 1 and 2 - MSEDCL to consider the candidature of the present Petitioner for appointment on the Compassionate Grounds on the basis of documents tendered by the present Petitioner, without insisting for the NOC from the grandmother of the present Petitioner.

2. This Court by order dated 18th June, 2025 had issued notice to the Respondents, returnable on 17th July, 2025. Learned AGP waived service of notice on behalf of Respondent No. 3. Private service on Respondent Nos. 1 and 2 was permitted.

3. Mr. Jain, learned Advocate appearing for the Petitioner states that private service was attempted on Respondent Nos. 1 and 2, but could not be effected and envelop had been returned. The report of issuance of court notice shows that Respondent No. 2 has been duly served by Bailiff as per the Bailiff's report. However, service of notice on Respondent No. 1 is awaited.

4. In view thereof, the Petitioner shall once again attempt to serve Respondent No. 1 by way of private service. Respondent No. 2 has been served by court notice. Considering that Respondent No. 2 is the Chairman & Managing Director of the Respondent No. 1, it is made clear that in the event, the Respondent Nos. 1 and 2 do not make appearance on the next date, the Writ Petition shall be heard in the absence of Respondent Nos. 1 and 2.

5. It is pertinent to note that this Court in Writ Petition No. 4674 of 2023 by order dated 11.1.2024 had considered that the Petitioner therein was aggrieved by demand of NOC from the parents of the deceased i.e. father-in-law and mother-in-law of the Petitioner for Compassionate appointment. This Court had upon noting the age of the father-in-law of the Petitioner which was 67 years and age of the mother-in-law which was 56 years, held that under the policy of compassionate appointment, they

will not be eligible to receive any employment. In that view of the matter, insistence of their NOC was not justifiable.

6. In the present case also, the Petitioner is seeking dispensation of NOC from grandmother of the present Petitioner who is aged 78 years. The Petitioner has made representation on 7.11.2024 to the Respondent No. 1 - MSEDCL. Representation has not been considered.

7. We are inclined to pass an order directing the Respondent No. 1 – MSEDCL to decide the representation of the Petitioner as well as grant waiver of NOC from grandmother of the Petitioner. However, instead of passing this order today, we give a last opportunity to Respondent Nos. 1 and 2 to remain present on the next date.

8. The Advocate of the Petitioner shall serve notice of this order on Respondent Nos. 1 and 2 and file Affidavit of Service prior to the next date.

9. Writ Petition shall be placed for further consideration on 23rd February, 2026, under caption “High on Board”.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]