

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

WRIT PETITION NO.12218 OF 2025

Bhagyashree Bhagwandas BairagiPetitioner

Versus

The State of Maharashtra and Ors.Respondents

Mr. Ramchandra Wagh i/b. Mr. Narayan G. Rokade for the
Petitioner.

Mr. P.P. Kakade, Addl. GP a/w. Ms. Priyanka Chavan, AGP for
Respondent No.1.

**CORAM : RAVINDRA V. GHUGE
&
ABHAY J. MANTRI, JJ.**

DATE : 7th JANUARY, 2026

P.C. :-

1. We have considered the strenuous submissions of the
learned Advocate for the Petitioner and have heard him on ground
nos. (i) to (xiv), mentioned in the Petition Paper Book.

2. The Petitioner is the daughter of Smt. Sunita, who
claims to be the second wife of the deceased Bhagwandas Madandas
Bairagi. The deceased Bhagwandas firstly married Smt. Bharati on
19th May, 1984. From the said marriage, the deceased had two
daughters and two sons. From the subsequent second marriage with
Sunita, he had two daughters and one son.

3. The deceased Bhagwandas was a Driver in the Motor Repairing Department of the Nashik Municipal Corporation. He expired on 30th May, 2005. Neither the first wife nor the children from the first marriage, have been arrayed as Respondents in this Petition.

4. One son of the deceased, born from his first marriage with Bharati, had preferred Writ Petition No.7315 of 2025 seeking compassionate appointment. By a judgment dated 3rd December, 2025, the said Petition came to be dismissed. Taking into consideration the policy relating to small families and the fact that the deceased had seven children, some of whom were born after the cut-off date, the Petition was dismissed.

5. In view of the above, this Petition would face the same fate for the reasons recorded in the judgment dated 3rd December, 2025 in Writ Petition No.7315 of 2025 (*Amol Bhagwandas Bairagi v/s. State of Maharashtra and Anr.*).

6. As such, **this Petition is dismissed.**

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)