



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 139 OF 2026

Saurabh Shridhar Gharde,
Aged about __years, Occ. Nil,
Near Gupta Garden,
Vidhya Nagar, Ganeshpur,
Ta. & Dist. Bhandara

...PETITIONER

VERSUS

1. State of Maharashtra,
Through its Secretary,
Department of Rural Development
Mantralaya, Mumbai-32
2. Zilla Parishad, Bhandara,
Through its Chief Executive officer

...RESPONDENTS

Shri N.S. Warulkar Advocate for petitioners
Shri A.S. Fulzele, Addl.GP for respondent/State

CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.
DATE : **08.01.2026**

ORAL JUDGMENT (PER : NANDESH S. DESHPANDE, JJ.)

Heard.

2. **Rule.** Rule is made returnable forthwith. Heard finally by the consent of the parties.

3. This is a petition filed under Article 226 of the Constitution of India. Praying for quashing and setting aside the impugned communication dated 02.03.2023 and 06.12.2006, issued by the respondent No.2, CEO, Zilla Parishad, Bhandara. It further prays for direction to consider the request application made by the petitioner on 01.09.2025, in view of the Government Resolution dated 26.07.1992.

4. The father of the petitioner expired on 27.07.2005 while being in service as a Junior Lecturer in a Junior College, run by Zilla Parishad. He was a minor at the time of death of his father. After attaining majority in the year 2005, he applied for getting appointment on compassionate ground to the respondent No.2. However, his request came to be rejected by the respondent No.2 on 06.12.2006, since his mother was also working as an Assistant Teacher in Zilla Parishad. Thereafter, the petitioner chose not to challenge the said rejection till the year 2023. Even the request made in the year 2023 was rejected by the respondents, relying on

Government Resolution dated 26.10.1994. This is challenged in the present petition.

5. Having heard the learned Counsel for the petitioner and after perusing the record of the matter, we find that the petition, apart from suffering from delay and the laches is filed at a stage that interference in writ jurisdiction would not be permissible. Admittedly, the communication dated 06.12.2006 is not challenged. It is noteworthy to mention that the communication dated 02.03.2023 and the communication dated 06.12.2006, which unequivocally stated that the claim of the compassionate appointment of the petitioner cannot be considered. Even though the petitioner states that the communication dated 06.12.2006 was not received by her, we are not impressed by the said communication it being a disputed question of fact, which would not be within the domain of Article 226 of the Constitution of India. Furthermore, nothing is placed on record to show that any steps were taken from 2006 till 2023 by the petitioner. The petition being filed at highly belated stage is rejected with no order as to costs.

(NANDESH S. DESHPANDE, J.)
Jayashree..

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