



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 209 OF 2026

Shaikh Farooque Shaikh Mobin

Vs.

The Collector, Buldhana and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. Ram Karode, Advocate h/f Mr. S.V. Tharkar, Advocate for
petitioner.

Ms. T.H. Khan, AGP for respondent No.1/State.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 12.01.2026

Heard Mr. Karode, learned counsel for the
petitioner.

2. The petitioner, by way of the present writ
petition, is seeking direction to the respondents to
substitute the name of the petitioner in place of his mother
in the waiting list and consider the claim of the petitioner
for appointment on compassionate basis. The facts
relevant for deciding the present writ petition are that the
father of the petitioner, who died in harness, was working
as 'Peon' on the establishment of respondent No.2. He
expired on 11.08.1998.

3. In view of scheme of appointment on compassionate basis, the mother of the petitioner has applied immediately to the respondents for the grant of appointment on compassionate basis on 04.05.1999. However, since his mother had become overage after completion of 40 years by virtue of the Government Resolution dated 27.08.2005, her name was deleted from the seniority list of the candidates for appointment on compassionate basis, and the said deletion of her name was communicated to her vide communication dated 11.08.2008 which is on record at page No.32 (Annexure F).

4. The petitioner, who was a major at that time, however, did not applied, before the completion of age of 40 years of his mother or immediately after 2008, for substitution of the name of his mother by his name. Such an application came to be filed for the first time in the year 2017 vide application dated 17.07.2017, which is on record at page no.23 (Annexure G). Even though, the respondents did not take any action upon the aforesaid application, the petitioner did not approach this Court for eight years. The present writ petition is filed on 23.12.2025, and is listed today for the aforesaid relief.

5. The passage of time after 1998 surely frustrated the purpose of the compassionate appointment,

which is provided to the near and dear ones of the sole bread earner of the family, who died in harness. As the family has survived for these many years without such relief, the relief claimed can't be granted.

6. Thus, the present writ petition suffers from delay and laches and accordingly is dismissed.

(Raj D. Wakode, J.)

(Anil S. Kilor, J.)