



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

906 WRIT PETITION NO. 468 OF 2024

**ROHIT SYRYAKANTRAO MALI
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

....

Mr G. J. Karne, Advocate for Petitioner;
Mr S. K. Tambe, A.G.P. for Respondent Nos.1 to 3

**CORAM : RAVINDRA V. GHUGE
AND
Y. G. KHOBRAGADE, JJ.**

DATE : 18th January, 2024

PER COURT:

1. The Petitioner's father died on 10/06/2009. The date of birth of the Petitioner is 20/12/1996. He became 18 years of age on 21/12/2014. The widow i.e. Petitioner's mother had filed an application for compassionate appointment immediately and was in the waiting list at Sr. No.4. However, after she completed 45 years of age, her name was deleted, and hence, the Petitioner approached the Respondent/Department to be appointed on compassionate basis. He moved an application for compassionate appointment on 22/04/2018, which is after four years of attaining the age of 18 years and the limitation for the Petitioner to file an

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application is only two years. The application was, therefore, barred by time by two years.

2. Issue notice to the Respondents, returnable on 21/02/2024. The learned A.G.P. waives service of notice on behalf of Respondent Nos.1 to 3.

3. The Petitioner shall tender an additional affidavit to indicate the retiral benefits received by his mother after the demise of his father and the amount of pension that she receives today. Such additional affidavit shall be filed within 15 days from today.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

sjk