

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 2777 OF 2010

KULDIP SRINIWAS KULKARNI

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

RESPONDENT(S)

O R D E R

The appellant's father died on 17.02.1979 in harness. The appellant sought appointment on compassionate grounds in the year 1985 when he was aged 14 years. The application filed by him for appointment in the year 1988 was rejected on 03.01.1992 on the ground that the application cannot be entertained 10 years after the death of the appellant's father. The appellant approached the Maharashtra Administrative Tribunal ('the Tribunal') seeking a direction to the respondents for compassionate appointment. The Tribunal passed an interim order directing the respondents to consider the case of the appellant for compassionate appointment.

The appellant was appointed as clerk-cum-typist on 01.02.2000. Ultimately, the Tribunal dismissed the application filed by the appellant which was upheld by the High Court by the impugned

judgment dated 25.03.2009.

On 08.05.2009, while issuing notice, this Court stayed the termination of the appellant on the ground that he has already worked for 10 years as a typist. We are informed that the appellant has been promoted to the post of senior clerk and later as Naib Tahsildar and he is continuing to work as Naib Tahsildar. Since the appellant has been working for more than 20 years, without expressing any view on the correctness of the judgment of the High Court, we are of the opinion that it would serve the ends of justice if the appellant is continued in service. This order is passed in the peculiar facts of this case and shall not be treated as a precedent.

The appeal is disposed of. Pending application(s), if any, shall stand disposed of.

.....J
(L.NAGESWARA RAO)

.....J
(B.R. GAVAI)

.....J
(B.V. NAGARATHNA)

NEW DELHI;
DECEMBER 16, 2021

ITEM NO.110

COURT NO.5

SECTION IX

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2777/2010

KULDIP SRINIWAS KULKARNI

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ANR.

Respondent(s)

Date : 16-12-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE L. NAGESWARA RAO

HON'BLE MR. JUSTICE B.R. GAVAI

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Appellant(s) Mr. Abhay Anil Anturkar, Adv
Mr. Dhruv Tank, Adv.
Ms. Bhavya Pande, Adv.
Dr. R. R. Deshpande, AOR

For Respondent(s) Mr. Sachin Patil, AOR

UPON hearing the counsel the Court made the following
O R D E RThe appeal is disposed of in terms of the
signed order. Pending application(s), if any, shall
stand disposed of.(Geeta Ahuja)
Court Master(Anand Prakash)
Court Master

(Signed Order is placed on the file)