

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 565/ 2021 (S.B.)**

1. Smt. Sangita Arvind Moraskar,  
Aged about 47 years, Occ. Household.
2. Abhishekh S/o Arvind Moraskar,  
Aged about 15 years, Occ. Education  
Being Minor  
through natural guardian mother  
i.e. Applicant no. 1  
Both R/o Gandhigram,  
Taluka & Dist. Akola.

**Applicants.**

**Versus**

- 1) The State of Maharashtra,  
through its Additional Chief Secretary,  
Department of Home,  
Mantralaya, Mumbai- 32.
- 2) Superintendent of Police,  
Washim, Dist. Washim.

**Respondents**

---

**Shri A.Motlog holding for Shri V.B.Bhise, Id. Advocate for the applicants.**

**Shri A.M.Ghogre, Id. P.O. for the Respondents.**

---

**Coram :- Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.**

**Dated :- 13.06.2023.**

---

**JUDGEMENT**

Heard Shri A.Motlog holding for Shri V.B.Bhise, Id. counsel for the applicants and Shri A.M.Ghogre, Id. P.O. for the Respondents.

2. Case of the applicant in short is as under:- Husband of applicant no. 1; Arvind Moraskar was working as a Police Head Constable in the establishment of respondent no. 2. He died on 15.03.2012 due to cancer while he was in service. The applicant no. 1 i.e. wife of deceased applied on 06.08.2012 for appointment on compassionate ground. Her name was entered in the waiting seniority list of compassionate appointment.

3. The respondents have not provided any employment to the applicant no. 1. The respondents have informed the applicant on 14.12.2020 stating that her name is removed from waiting seniority list because she has crossed the age of 45 years. Thereafter, the applicant no. 1 applied for providing employment to her son i.e. applicant no. 2 (Abhishekh S/o Arvind Moraskar) aged 15 years. The said application is not yet decided. Therefore, applicant approached to this Tribunal for direction to the respondents to provide employment to the applicant no. 2 as per the scheme of appointment on compassionate ground.

4. The application is strongly opposed by the respondents. It is submitted that as per Government of Maharashtra G.R. dated 06.12.2010 the name of the applicant no. 1 was removed after completion of 45 years of age. The applicant no. 2 is minor, he has not completed the age of 18 years of age and, therefore, employment cannot be provided to him. Hence, O.A. is liable to dismissed.

5. Ld. P.O. further submits that applicant no. 2 was aged about 15 years on the date of application i.e. 01.02.2021. How applicant no. 1 pray in the application dated 01.02.2021 to enter the name of applicant no. 2 after completion of 18 years of age, if said direction is given to the respondents then the O.A. becomes pre-mature.

6. Heard both the sides. Respondents not provided any job to applicant no. 1. Applicant no. 2 was minor. Respondents may provide employment to applicant no. 2 after he completes the age of 18 years. Hence, the following order:-

A. O.A. is allowed.

B. Respondents are directed to enter the name of applicant no. 2 i.e. Abhishekh S/o Arvind Moraskar in the waiting list for appointment on compassionate ground after his completion of age of majority i.e. 18 years and provide the employment as per rules.

C. No order as to costs.

**(Shri Justice M.G.Giratkar)**  
**Vice Chairman**

**Dated :- 13/06/2023.**  
**aps**

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : Akhilesh Parasnath Srivastava.

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 13/06/2023.  
and pronounced on

Uploaded on : 13/06/2023.