

MAHARASHTRA ADMINISTRATIVE TRIBUNAL**NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 161/2023(S.B.)**

Nivedeet Dharamrao Moon,
Age : 34 years, Occ. : Private,
R/o House No.96, Kachore Patil,
Nagar, Chinchbhawan, Wardha Road,
Nagpur-05.

Applicant.

Versus

1. The State of Maharashtra,
Through its Secretary,
Ministry of Home Affairs,
Mantralaya, Mumbai - 32.
2. The Superintendent Engineer,
Gosikurd Project.
3. Executive Engineer,
Hydroelectric Department no.3,
Nagpur.
4. The District Collector,
Tahsil and District Nagpur.

Respondents

Miss N.S.Pathan,Ld. Counsel for the applicant.
Shri H.K.Pande, Ld. P.O. for the respondents 1 & 4
Shri T.M.Zaheer, Ld. Counsel for the respondents 2 & 3.

Coram:-Hon'ble Shri Justice M.G.Giratkar, Vice Chairman.
Dated: - 30th October, 2023.

JUDGMENT

Heard Miss N.S.Pathan, learned counsel for the applicant, Shri H.K.Pande, learned P.O. for the Respondents 1 & 4 and Shri T.M.Zaheer, ld. Counsel for the respondents 2 & 3.

2. The applicant's mother was working as a Clerk with respondent no.3. She died while she was in service. The applicant applied for the appointment on compassionate ground. His application is not considered. Therefore, the applicant approached to this Tribunal for direction to the respondents to appoint him on compassionate ground.

3. The O.A. is strongly opposed by the respondents. It is submitted that the applicant is not entitled for appointment on compassionate ground because before the applicant, one Varsha applied for appointment on compassionate ground. Varsha is not a real daughter of deceased employee. Therefore, her name was not entered in the waiting seniority list for appointment on compassionate ground.

4. During the course of submission, learned counsel for the applicant has submitted that after attaining the age of majority the

applicant had applied first on 05.02.2008. Hence, the learned counsel for the applicant submitted that respondents be directed to decide the application dated 27.07.2010. Applicant is legal heir of deceased. He was dependent of deceased. Therefore, the following order is passed.

ORDER

1. The O.A. is partly allowed.
2. The respondents are directed to decide the application of the applicant dated 27.07.2010 for appointment on compassionate ground.
3. If the applicant is found eligible, his name is to be entered in the waiting seniority list for appointment on compassionate ground.
4. No order as to costs.

(Justice M.G.Giratkar)
Vice Chairman

Dated – 30/10/2023
rsm.

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

Name of Steno : Raksha Shashikant Mankawde
Court Name : Court of Hon'ble Vice Chairman.
Judgment signed on : 30/10/2023.
Uploaded on : 03/11/2023.