

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL****NAGPUR BENCH NAGPUR****ORIGINAL APPLICATION NO. 944/2023(S.B.)**

Abhishek Sunil Rana,  
aged about 19 years, occupation student,  
resident of Dahegaon (Gosavi),  
Tahsil Selu, District: Wardha.

**Applicant.**

**Versus**

1. The State of Maharashtra,  
through its Secretary,  
Department of Revenue & Forest,  
Mantralaya, Mumbai.
2. The Collector,  
Collector Office, Civil Lines, Wardha.

**Respondents.**

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Shri B.Kulkarni, Ld. Counsel for the applicant.  
Smt. A.Warjekar, Ld. P.O. for the respondents.

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

**Dated: - 12<sup>th</sup> July, 2024.**

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**JUDGMENT**

Heard Shri B.Kulkarni, learned counsel for the applicant and  
Smt.A.Warjekar, learned P.O. for the Respondents.

2. Case of the applicant in short is as under-

The father of applicant namely Sunil Rana was working as Talathi at Tahsil Karanja (Ghadge) District Wardha. He died on 26.06.2012. After the death of father of applicant, mother of applicant Anita Sunil Rana applied for appointment on compassionate ground. Her name is taken on the waiting seniority list. Respondents have not provided any employment to the mother of applicant. The mother of applicant applied to the respondent no.2 i.e. the Collector on 14.08.2019 for providing employment to the applicant on compassionate ground, but it is not decided by the respondent. Therefore, applicant approached to this Tribunal for the following reliefs-

*A] Issue a direction to respondents to substitute the name of the applicant in place of his mother, in the list of candidates to be appointed on compassionate ground, and provide appointment in the interest of justice;*

*B] Grant any other relief as may be deemed fit in the interest of justice.*

**10] INTERIM RELIEF IF ANY PRAYED FOR:**

*It is submitted that for the present the applicant is not claiming any interim relief but the applicant seeks early disposal of the present application.*

3. The O.A. is strongly opposed by the respondents by filing reply. It is submitted that the representation of mother of applicant dated 14.08.2019 is still pending and therefore relief as prayed cannot be granted. Hence, the O.A. is liable to be dismissed.

4. During the course of submission, the learned counsel for the applicant has submitted that representation of the mother of applicant dated 14.08.2019 is still pending. The respondents have not provided any employment to the mother of applicant. Therefore, prayed to allow the O.A..

5. The learned P.O. submits that application of the mother of applicant dated 14.08.2019 is still pending therefore substitution cannot be granted. It is not decided by the respondents. The learned P.O. submits that respondent no.2 forwarded the proposal to the respondent no.1 and therefore it is pending.

6. Respondent no.2 i.e. the Collector is the Authority for granting appointment on compassionate ground. Therefore, it was the duty of the Collector to decide the application dated 14.08.2019 of the mother of applicant. There was no necessity to forward it to the Government i.e. respondent no.1. The respondents have not provided any employment to the mother of applicant. Respondents have not decided the application dated 14.08.2019 for providing employment to the applicant. Hence, the following order is passed -

**ORDER**

1. The O.A. is partly allowed.
2. Respondent no.2 is directed to decide application of the mother of applicant dated 14.08.2019

within a period of three months from the date of receipt of this order.

3. No order as to costs.

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

**Dated - 12/07/2024.**  
**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 : 12/07/2024.

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