BLOGS

Important Judgements for CLAT PG 2024: State of Maharashtra v. Ms Madhuri Maruti Vidhate

Indrasish Majumder · 31 Jan 2023

State of Maharashtra and Another v. Ms. Madhuri Maruti Vidhate

Date – 1st October 2022

Court – The Supreme Court of India

Bench – Justice M R Shah and Justice Krishna Murari

Issue: Whether a married daughter can be said to be "dependent" on her deceased mother and would be entitled to an appointment on compassionate grounds?

- In this case, the father of the respondent was in the clerical cadre serving with the appellants. After his death, his wife, i.e., mother of the respondent was appointed on compassionate ground. However, she died while in service. Thereafter the elder sister of the respondent made application for seeking appointment on compassionate ground. The said application was rejected on the ground that she cannot be given the appointment on compassionate ground as she is a married daughter.
- Further, the State of Maharashtra issued a circular stating that the employment has to be provided to one of the legal heirs and representatives of the deceased government servant on compassionate grounds. On that basis, the respondent moved an application before the tribunal for appointment on compassionate ground. The application was allowed by the tribunal and upheld by the High Court as well.
- The Supreme Court said that the whole object of granting compassionate employment is to enable the family to tide over the sudden crisis. The object is not to give such family a post much less a post held by the deceased.
- The Apex Court while allowing the appeal said that to appoint the respondent now on compassionate ground shall be contrary to the object and purpose of appointment on compassionate ground. The respondent cannot be said to be dependent on the deceased employee, i.e, her mother. Even otherwise, she shall not be entitled to appointment on compassionate ground after a number of years from the death of the deceased employee.

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