

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD
WRIT PETITION NO.1368 OF 2015

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.N.P.Patil Jamalpurkar, advocate for the petitioner
Mr.A.S.Bajaj, advocate for Respondent Nos.1 and 2.

**CORAM : S.V.GANGAPURWALA &
V.K.JADHAV, JJ.**
Date : 27.07.2015.

PER COURT :

1. Heard.
2. Mr.Patil, learned counsel submits that the petitioner was appointed on compassionate ground, however, he was terminated only for the reason that petitioner had not stated about the Criminal case pending against him. According to the learned counsel, the petitioner was appointed on compassionate ground and not by due selection process. As such non-mentioning of the said Criminal case would not matter. According to the learned counsel, the offences were petty. The petitioner is also acquitted in the said Criminal case. The Respondents are required to reconsider the case of the petitioner for appointment on compassionate ground.
3. Mr.Bajaj, learned counsel submits that petitioner is terminated as he has suppressed the factum of pendency of

Criminal case. No illegality has been committed in the same.

4. In the present Writ Petition, the petitioner had not challenged the termination order. As such, the legality of the termination order is not the subject matter of consideration.

5. The petitioner claims to have been acquitted and the only relief sought in the petition is seeking direction against the Respondents to consider the claim of the petitioner for appointment as “*Vijsevak*” on compassionate ground. It is for the Respondents to consider the same.

6. In light of that, we pass the following order :

- a) The petitioner may make application/representation with the Respondents seeking reappointment on compassionate ground which application shall be considered by the Respondents on its own merits in accordance with law and considering the subsequent events, expeditiously, preferably within three (3) months from the date of application.
- b) The Writ Petition is disposed of. No costs.

(V . K . JADHAV , J .)

(S . V . GANGAPURWALA , J .)

Dt.27.07.2015.
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