

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO.5159 OF 2001

Santosh s/o Kisanrao Narode
Age 24 years, Occ. Unemployed,
R/o Sonar Galli, Gangapur,
District Aurangabad

... PETITIONER

VERSUS

1. The State of Maharashtra
(Copy to be served through
Government Pleader, High Court,
Bench at Aurangabad).
2. The District Collector,
Aurangabad
3. The Chief Officer,
Municipality, Gangapur,
District Aurangabad.

... RESPONDENTS

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Shri R.V. Gore, Advocate for petitioner
Mrs. Y.M. Kshirsagar, A.G.P. for State
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CORAM: S.V. GANGAPURWALA AND
 A.I.S. CHEEMA, JJ.

DATED: 23rd March, 2015.

ORAL JUDGMENT (Per S.V. Gangapurwala, J.):

1. Mr. Gore, the learned counsel for petitioner submits that, the father of petitioner was working as a Naka Clerk since 1973. Because of the burn injuries sustained by the father of the petitioner, the father of petitioner had to retire prematurely. The learned counsel submits that, the petitioner made a representation on 23.4.1998 to consider his case sympathetically for appointment on compassionate ground. After lapse of three years, the respondent No.1 issued a communication on 15.10.2001 that the case of the petitioner cannot be considered. The learned counsel submits that, the father of the petitioner had to prematurely retire and the benefit of giving appointment on compassionate ground is to mitigate the hardship and to provide appointment to the legal heir of the person who had to retire prematurely.

2. The learned A.G.P. states that the policy of giving appointment on compassionate ground to the ward of the person who retired prematurely has been disbanded in view of the Government Resolution dated 22.8.2005.

3. This Court, on 26.9.2014 had directed the learned A.G.P. to take instructions as to whether the scheme of giving employment on compassionate ground to children of employees who were allowed to retire prematurely due to ill-health is still in

force. In view of the Government Resolution dated 22.8.2005, the case of the petitioner cannot be considered. As such, the petition is dismissed. Rule discharged. No costs.

(A.I.S. CHEEMA, J.)

(S.V. GANGAPURWALA, J.)