

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

WRIT PETITION NO. 9460 OF 2014

PADMABAI SAHEBRAO TARANGE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Petitioner : Mr V.P. Golewar
AGP for Respondents: Mr. S S Tope
Advocate for Respondent 2 : Mr. Chintalwar R L

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CORAM : S V GANGAPURWALA & V.K. JADHAV, JJ.
Dated: July 30, 2015

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PER COURT :-

1. Mr. Golewar, the learned counsel for the petitioner submits that, name of the petitioner was included in the list of candidates to be appointed on compassionate ground. The petitioner was at Serial No.24. Name of the petitioner was removed from the waiting list as per communication dated 21.9.2012 on the ground that the petitioner has crossed 40 years of age. Learned counsel submits that, as per the Government Resolution dated 6.12.2012 the maximum age prescribed for appointment on compassionate ground is 45 years. Till the petitioner attains 45 years of age, petitioner can be considered.

2. Mr. Chintalwar, learned counsel for respondent submits that, the petitioner is at serial no.24 in the list of the persons who had applied for appointment on compassionate ground. The petitioner would be completing 45 years of age on 3.10.2015. Even otherwise, the petitioner may not be eligible for appointment.

3. We have considered the submissions.

4. As per the Government Resolution dated 6.12.2012 upper age limit for appointment of a person on compassionate ground is 45 years. Till the petitioner crosses 45 years, petitioner is required to be maintained in the list. In light of that, we direct the respondents to maintain the name of the petitioner in the list of the persons eligible to get appointment on compassionate ground till the petitioner attains 45 years of age. Of course, the turn of the petitioner can be considered only according to seniority of the said list.

5. Writ Petition accordingly disposed of. No costs.

(V.K. JADHAV, J.)

(S V GANGAPURWALA, J.)

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aaa/-