

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) **WP NO.2465 & 2467 of 2016**

13 WRIT PETITION NO. 2465 OF 2016

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
GEETANJALI KIRAN SANGLE

...
AGP for petitioner : Mr. A.V.Deshmukh
...

15 WRIT PETITION NO. 2467 OF 2016

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
CHETAN SHIVAJI GAIKWAD

...
AGP for petitioner : Mr. A.V.Deshmukh
Mr.Temak Rahul B., Adv., for R/sole
...

...
CORAM : S.S. SHINDE & P.R. BORA, JJ.
Dated: March 02, 2016
...

PER COURT :-

1. Not on Board. Taken on Board.
2. Heard learned A.G.P. appearing for the State. Perused the reasons assigned by the Maharashtra Administrative Tribunal and, in particular, paragraph no.6 thereof. It appears that the Tribunal has placed reliance on the exposition of law by the High Court in case of **Dinesh s/o Shamrao Sonawane Vs. State** in Writ Petition No.5440/2009, decided on 5.2.2010, in which it is held that, Government Resolution dated 2.7.2002 is required to be interpreted to mean that the pay scale of Rs.5000-9000 falls in

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(2)

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Group "C" and not in Group "B" and hence, the heirs of deceased Government servants are eligible for compassionate appointment in terms of Government policy as laid down from time to time. It appears that, while considering the pay scale for Group C and Group D employees, the High Court, in the case of **Dinesh s/o Shamrao Sonawane** (cited supra), ruled that pay scale of Rs.5000 - 9000 falls in the category of Group C.

3. Nothing is brought to the notice of this Court to show that the judgment of the High Court in the case of **Dinesh s/o Shamrao Sonawane** (cited supra), is assailed before the Supreme Court. Therefore, it appears that the said judgment in case of **Dinesh s/o Shamrao Sonawane** has attained finality. We do not see any reason for causing interference in the impugned judgment and order.

Hence, the petitions stand rejected.

(P.R. BORA, J.)

(S.S. SHINDE, J.)

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