

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

WRIT PETITION NO.3178 OF 2016

Kailas s/o. Rohidas Pawar,
Age 29 years, Occ. Nil,
r/o. c/o. Kokilabai Choudhari,
Shivshakti Nagar,
Jalgaon, Dist. Jalgaon ..Petitioner

Vs.

- 1) The State of Maharashtra,
Through its Secretary,
Department of School Education,
Mantralaya, Mumbai
- 2) The Deputy Director of Education,
Nashik
- 3) The Education Officer (Secondary),
Jalgaon
- 4) Education Society Jamathi
Tq. Bodhwad, Dist. Jalgaon
through its Secretary/Chairman
- 5) Smt. C.S.Mahajan,
Secondary and Higher Secondary
Vidyalaya Jamathi
Tq. Bodhwad, Dist. Jalgaon
Through its Head Master ..Respondents

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Ms.Surekha Mahajan, Advocate for petitioner

Mr.V.H.Dighe, AGP for respondent nos.1 to 3

Mr.V.D.Sapkal, Advocate for respondent no.4

**CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : JULY 07, 2016**

ORDER :

Heard the learned Counsel appearing for the petitioner, the learned AGP appearing for respondent nos.1 to 3 and the learned Counsel for respondent no.4 and 5.

2. We have carefully perused the contents of the letter written by respondent no.4 - President to the petitioner in reply to the application filed by the petitioner on 13.11.2014 requesting therein to give him appointment on compassionate ground.

3. It appears that merely because there is a Government Resolution directing the concerned Institutions not to go ahead with the fresh recruitment in view of the surplus teachers available on the roll of the State Government, respondent no.4 has expressed inability to

entertain the application filed by the petitioner for appointment on compassionate ground.

4. In our opinion, when an application is filed for appointment on compassionate ground, the same has to be considered with utmost sincerity and urgency so as to give financial aid to the family of a deceased employee. Even, respondent no.3 – Education Officer has also directed respondent no.5 – Headmaster of the School, by communication dated 12.01.2016, to consider the application filed by the petitioner for appointment on compassionate ground and submit a proposal to the Education Officer for the approval to that effect.

5. In that view of the matter, we quash and set aside the impugned communication and direct respondent nos.4 and 5 to consider the request of the petitioner for appointment on compassionate ground, keeping in view the letter written by the Education Officer dated 12.01.2016, as

expeditiously as possible, however, within a period of four weeks from today.

6. The Writ Petition is allowed and stands disposed of in the above terms.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]

kbp