

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

WRIT PETITION NO.4844 OF 2015

Anita Dnyaneshwar @ Dnyandeo ... **Petitioner**
Suryawanshi, Age 27 years,
Occu: at present Nil,
R/o Chilekhenwadi, Tq. Newasa,
District- Ahmednagar.

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary,
Rural Development Department,
Mantralaya, Mumbai 400 032
2. The Chief Executive Officer,
Zilla Parishad, Ahmednagar,
District Ahmednagar,
3. The District Health Officer,
Zilla Parishad, Ahmednagar,
District Ahmednagar
4. Dattatraya Baburao Suryawanshi, ... **Respondents**
Age 68 years, Occu: Agri.
R/o Rui Chattisi,
Tq. and Dist. Ahmednagar

Mr. Vinod P.Patil, Advocate for the petitioner
Mrs. R. P. Gour, AGP for the respondent-State.
Mr. S. T. Shelke, Advocate for Respondent No.2

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 28th November, 2016

JUDGMENT:

1. Heard the learned counsel for the parties.
2. Rule. Rule made returnable forthwith. With

consent of parties, the petition is taken up for final disposal

3. Mr. Patil, the learned counsel submits that the petitioner is wife of deceased Dnyaneshwar alias Dnyandeo Kulkarni. Husband of the petitioner died in an accident. Husband of the petitioner was in service with Zilla Parishad, Ahmednagar at Akola Taluka as a primary teacher. The petitioner moved an application seeking appointment on compassionate ground. Claim of the petitioner is not being considered. There is dispute with the in-laws. In-laws are not cooperating. According to the learned counsel, the petitioner has received compensation from the Motor Accident Claim Tribunal, this itself shows that the petitioner is wife of deceased. Even husband of the petitioner has filed proceeding for divorce, however, they were not concluded.

4. Mr. Shelke, the learned counsel for respondent no.2 submits that the petitioner is also placed in the seniority list of the candidates to be appointed on compassionate ground and the petitioner is at Serial No.181. However, the petitioner is required to comply with the documents as detailed in the letter dated

19.11.2014, page 41.

5. We have considered the submissions.

6. It appears that as there is dispute with the in-laws, the in-laws may not cooperate the petitioner. As such, the petitioner will submit all other documents as stated in the letter dated 19.11.2014(page 41) except the no objection of the in-laws and the authority shall consider the claim of the petitioner on submitting all other documents, expeditiously.

7. If the in-laws of the petitioner raise any objection, the respondent authority shall decide the said objection after hearing the parties concerned.

8. Rule is made absolute accordingly. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC