

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

WRIT PETITION NO. 8444 OF 2016

Nilima d/o Eknath Hadpe (Savale)

.. PETITIONER

VERSUS

The State of Maharashtra
& another

.. RESPONDENTS

Mr. S.B. Sontakke, advocate for petitioner.
Mr. M.M. Nerlikar, AGP for the State.
Mr. Vijay Sharma, advocate for respondent no. 2.

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**CORAM : R.M. BORDE &
SANGITRAO S. PATIL, JJ.
DATE : 19th DECEMBER, 2016.**

PER COURT :

Claim of petitioner for compassionate appointment has been turned down by respondent no. 2 referring Government Resolution dated 26.02.2013 which stipulates that in the event a married daughter is the only child left behind by the deceased employee and the family is dependent upon such married daughter, she should be entitled to claim employment on compassionate ground. The policy formulated by the State Government under Government Resolution referred above has undergone revision and it has now been prescribed by the State Government vide Government Resolution dated 17.11.2016 that a married daughter shall be entitled to claim appointment on compassionate ground however, the other child or children of the deceased employee shall not object to employment of such married daughter and the married daughter shall have to tender an undertaking that she would maintain the dependents of deceased employee.

2. In view of revised policy adopted by the State Government on 17.11.2016, the claim of petitioner for appointment on compassionate ground deserves to be considered.

3. In view of above, the order passed by respondent no. 2 on 09.06.2016 rejecting the claim of petitioner deserves to be quashed and set aside. Respondent no. 2 is directed to re-consider the claim of petitioner for employment on compassionate ground in view of the policy adopted by the State Government on 17.11.2016 and, appropriate decision shall be taken as expeditiously as possible, preferably within a period of four months from today and, it is accordingly directed. Writ petition stands disposed of.

(SANGITRAO S. PATIL)
JUDGE

(R. M. BORDE)
JUDGE

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