

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.2312 OF 2017**Mohammad Ayub Mohammad Halim Vs. The State of Maharashtra
and others.**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.S.Bora, advocate for the petitioner.
Mr.P.S.Patil, Additional Government Pleader for the State.

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

Date : 20.02.2017.

PER COURT :

1. Heard.
2. Mr.Bora, learned counsel submits that petitioner was entitled for appointment on compassionate ground in place of his father who had retired on superannuation. The same is permissible as per the Circular dated 14.4.1981. On wrong advise, the petitioner had filed a Civil Suit which was prosecuted up to the appeal, however, the same is dismissed as not tenable. The learned counsel submits that petitioner ought to have been considered for direct appointment in place of his father.
3. Learned Additional Government Pleader accepts notice for

Respondent Nos.1 and 2.

4. The petitioner today has crossed upper age limit. He is almost 51 years of age. Even it is no where brought on record that petitioner complied with clause 3 of the Circular dated 14.4.1981.

5. In view of that, the case of the petitioner can not be considered. The Writ Petition is disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.20.02.2017.
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