

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**WRIT PETITION NO.2809 OF 2017**

Shubham S/o Papanna Darelu

Petitioner

Versus

State of Maharashtra and another

Respondents

Mr.B.K. Pati advocate for the petitioner

Mr.S.B. Joshi for Respondent No.1

Mr. Z.Y. Rathod advocate for respondent No.2

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CORAM : **R. M. BORDE & VIBHA KANKANWADI, JJ**

(Date: October 9<sup>th</sup> 2017)

**PER COURT :-**

1 The petitioner is claiming compassionate appointment in place of his father, who was the only bread earner in his family and died in the year 2011. Initially, the claim of the petitioner was turned down, on the ground that, the father of the petitioner was paid out of the own funds of the Zilha Parishad and as such, benefits are not accruable to the heirs of such employee. The decision of the Zilha Parishad was subject matter of challenge in the Writ Petition No.10296 of 2015. The Division Bench of this Court, while disposing of the matter, observing that the reason recorded by the respondent Zilha Paridhsad for turning down the claim being unacceptable, directed the Zilha Parishad to reconsider the claim of the petitioner.

2 In response to the notices issued by this Court, the Zilha Parishad caused appearance and an affidavit in reply signed by the In-

charge Executive Engineer, Water Supply Department, Zilha Parishad is placed on record on behalf of respondent No.2. In para No.20 of the reply, it is recorded thus:-

“ 20. The deponent most humbly submit that, as the names of the Ashish Kute, Santosh Pradhan, Rahul Kothale and Shri Mali names have been included in the waiting list on the basis of compassionate ground. Similarly the petitioner name i.e. Shubham Papanna Darelun name would be included in the waiting list of compassionate ground basis and necessary steps/action for granting service to petitioner on compassionate ground would be taken and under such circumstances the petitioner's writ petition may be dismissed. ”

3 Since the Zilha parishad has undertaken to include the name of the petitioner in the waiting list for making appointment on compassionate grounds and has assured to take steps/action for accommodating the petitioner in employment, the purpose of presenting the instant petition gets served.

4 In view of the statement made in para No.20 of the affidavit in reply tendered on behalf of Zilha Parishad, the writ petition stands disposed of.

**( VIBHA KANKANWADI, J. )**

**(R. M. BORDE, J)**