

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

1063 WRIT PETITION NO. 14728 OF 2017

PRASHANT VISHWAMBHAR CHAVAN

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

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Mr. R.K.Ashtekar, Advocate for Petitioner.

Mr. M.M.Nerlikar, A.G.P. for Resp. - State.

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**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**

DATE : 20th DECEMBER, 2017

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ORAL ORDER :

. The proposal seeking approval to the appointment of the petitioner on compassionate ground is rejected.

2. Heard learned counsel for the petitioner.
Learned A.G.P. accepts notice for respondent Nos. 1 to 4.

3. The Education Officer in the order has observed that the Govt. has relaxed the ban in respect of the persons to be appointed on compassionate ground under Govt. Resolution dated 22/03/2012. The petitioner is appointed on 15/06/2015. As the petitioner is appointed after the ban has been relaxed, there was no impediment to consider the appointment of the petitioner on compassionate ground. The ground on which the proposal is rejected is not proper.

4. In light of the above, the impugned order is quashed and set aside. Respondent No. 4 – Education Officer shall re-consider the proposal seeking approval to the appointment of the petitioner as Lab Assistant afresh on its own merit and shall not reject it on the ground on which the impugned order is passed.

5. Writ Petition is disposed of on above terms.
No costs.

[V.L.ACHLIYA, J.]

[S.V.GANGAPURWALA,J.]