

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 11337 OF 2015

Pratibha d/o Vitthalrao Sonkamble

Petitioner

Versus

The State of Maharashtra  
& others

Respondents

Ms M.R. Jamdhade, advocate for petitioner.

Mr. A.V. Deshmukh, A.G.P. for respondents 1 to 3.

**CORAM : R.M.BORDE &**

**A. M. DHAVAL, JJ.**

**DATE : 1<sup>st</sup> AUGUST, 2017**

**PER COURT:**

1. Petitioner is praying for issuance of directions to respondents to consider claim of petitioner for appointment on compassionate ground. The mother of the petitioner was employed in Sales Tax department and was functioning as Sales Tax Inspector. She died on 21<sup>st</sup> November, 2003 and, after her demise, petitioner tendered application seeking employment on compassionate ground. The application tendered by petitioner came to be rejected on the ground that mother of petitioner was Group 'B' and the policy in respect of compassionate appointment is not applicable in respect of said category.

2. Respondent-State has placed on record Government Resolution dated 22<sup>nd</sup> August, 2005, which prescribes that the policy of compassionate appointment was applied in case of death

of employees in the category of Group C and D. Since the mother of petitioner was not amongst the category of Group C and D, the policy prescribed by the State Government in respect of appointment on compassionate ground is not applicable to petitioner.

3. Petitioner contends that in past there is some deviation in the policy and heirs of certain employee have been considered though the deserved employee was belonging to Group B. It would be open for the petitioner to take appropriate steps in respect of illegality committed at the end of the State Government. It does not extend entitlement to the petitioner to claim employment on compassionate ground.

4. Writ petition is devoid of substance hence stands rejected.

**( A.M. DHAVALA )**  
**JUDGE**

**( R.M.BORDE )**  
**JUDGE**