

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

1073 WRIT PETITION NO. 14738 OF 2017

VIRENDRA RAVINDRA DEORE

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

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Mr. A.D.Pawar, 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 :

. Learned A.G.P. accepts notice for respondent Nos. 1 and 2.

2. The proposal seeking approval of the appointment of the petitioner as a Peon on compassionate ground is rejected. The reason given in the order is that as per Govt. Resolution dated 02/05/2012 there was ban

on recruitment.

3. Heard learned counsel for the petitioner and learned A.G.P. for the respondent – State.

4. This Court in number of matters such as Writ Petition No. 76144 of 2015, Writ Petition No. 2089 of 2017 and other matters have held that the ban on recruitment as per Govt. Resolution dated 02/05/2012 would not apply for appointment on compassionate ground which is permissible to 10% of total vacant posts.

5. In light of the above, impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment on its own merits expeditiously, preferably within four months from the date of this order. The Education Officer shall not reject the proposal on the ground of which the impugned order is passed.

6. Writ Petition stands disposed of. No costs.

[V.L.ACHLIYA, J.]

[S.V.GANGAPURWALA,J.]