

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

WRIT PETITION NO.349 OF 2017

Asif Sakidad Khan

..Petitioner

Vs.

The State of Maharashtra
and ors.

..Respondents

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Mr.Girish Nagori, Advocate for petitioner

Mr.A.B.Girase, G.P. for respondents

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**CORAM : V.M. KANADE AND
SANGITRAO S. PATIL, JJ.
DATE : JANUARY 12, 2017**

PER COURT :

Heard.

2. The petitioner is seeking directions to the respondents to add his name in place of his mother, who was on the wait list for appointment on compassionate ground.

3. The petitioner's father died in the year 1998. The mother of petitioner on 22.08.1998, applied to the respondents for appointment on

compassionate ground. Thereafter, She attained the age of 45 years. She expired on 19.03.2016. The petitioner then made an application for substitution of his name in the place of his mother. The petitioner in support of his claim in this petition has placed reliance on the Government Resolution dated 20.05.2015 and more particularly, proviso to Clause 1(C).

4. The Government Pleader appearing for the respondents submits that according to the said Government Resolution, after attaining the age of 45 years, the name of petitioner's mother may not remain on the wait list for appointment on compassionate ground.

5. We have perused the Government Resolution dated 20.05.2015 and Clause 1(C) thereof. It is not in dispute that a person whose name is on wait list for being appointed on compassionate ground, can continue his/her name till he/she attains the

age of 45 years. The petitioner's mother attained the age of 45 years in the year 2004 and thereafter, she expired on 19.03.2016. The petitioner, therefore, in our view, cannot seek substitution by relying on the said proviso to Clause 1(C) of the Government Resolution dated 20.05.2015.

6. Therefore, there is no substance in the submissions made by the learned Counsel for the petitioner. The petition stands dismissed.

[SANGITRAO S. PATIL, J.]

[V.M. KANADE, J.]

kbp