

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5679 OF 2010**

Suman R. Survase

..Petitioner

Vs

The State of Maharashtra and ors.

..Respondents

Mr. V.K. Bodhare i/b A.M. Joshi for the Petitioner.

Mr. A.P. Vanarse, AGP for Respondent Nos.1 to 3.

Mr. S.R. Waghmare for Respondent Nos.4 and 5.

Mr. S.S. Pakale i/b H.G. Amembal for Respondent No.6.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : AUGUST 2, 2017.

P.C. :

. After arguing some time, learned counsel for the petitioner submits that this petition may be disposed of by directing respondent No.2 - Education Officer to decide the claim of the petitioner for grant of compassionate appointment and also the claim of respondent No.6 that he has been rightly appointed.

2] In view of above, we are inclined to dispose of this petition by granting liberty to the petitioner as also respondent Nos.4 and 6 to submit their representations in regard to their respective claim within four weeks from today. Respondent No.2 – Education Officer shall thereafter give opportunity of hearing to the petitioner as also to

respondent Nos.4 and 6 and decide the issue as to whether the petitioner is entitled for compassionate appointment and as to whether respondent No.6 has rightly been appointed and whether he can be continued. Let all these aspects of the matter be decided by the Education Officer (Respondent No.2) within three months from the date of receipt of representations.

3] With aforesaid directions, this petition is disposed of.

4] All contentions of all parties are kept open.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)