

Mr. Suhas Suryakant Khandare	}	Petitioner
versus		
The State of Maharashtra and Ors.	}	Respondents

Mr. B. V. Samant-AGP for State.

**CORAM :- S. C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

DATED :- NOVEMBER 8, 2017

P.C. :-

1. The petitioner says that he is seeking employment on compassionate ground. He is the son of one Suryakant Khandare. He was a permanent employee and employed by respondent no. 4 at their school at Atpadi, taluka Atpadi, district Sangli known as Rajaram Bapu High School. While in service and for office work, when the father of the petitioner was travelling, he suffered chest pain and collapsed and unfortunately expired on 14th August, 2010. The petitioner is seeking appointment as peon in the place of his deceased father and has been pursuing the authorities, including the Education Officer (Secondary), Zilla Parishad, Sangli. The application though not rejected but we do not know how somebody, who is studied up to 9th standard cannot work as a

peon in a higher secondary school. That is why on the earlier occasion, we directed that all original records be produced with a view to ascertain whether any application of the petitioner was duly considered and if considered, what action was taken. Though the petitioner is appointed as peon, this appointment has no meaning because it has not been approved by the competent authority. If the appointment requires an approval and the same is not granted and the petitioner is working at the mercy of the management, then, no grants, particularly salary grant pertaining to the petitioner would be released unless the Education Officer (Secondary), Zilla Parishad, Sangli approves the appointment. The proposal in that behalf is also pending.

2. It is these unfortunate circumstances in which we make observations that the petitioner is seeking appointment. We should not be construed to have said that he is not appointed. He may be styled as working and after extracting work from the petitioner, no salary and for the post in terms of the rules and regulations can still be released. It is that concern which compels us to make the above sweeping observations. Whatever may be the request/representation pending and in writing with the authorities, it should now be considered and decided within a period of four weeks from the date of receipt of a copy of this

order. We direct the consideration of the representation which is pending irrespective of the fact that the earlier one was rejected.

3. With the aforesaid directions, the writ petition is disposed of.

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)