

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CAW NO. 1027/2016 IN WRIT PETITION NO. 240 OF 2016

(Saurabh Gaurishankar Agrawal vs. State of Maharashtra thr. Secretary, Education Department
& Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's Orders.

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
MRS. SWAPNA JOSHI, JJ.
JANUARY 31, 2017.**

Heard Shri S.S. Dhengale, learned counsel for the applicant/ petitioner and Shri P. Tembhare, learned AGP for respondent Nos. 1 & 6.

2. The applicant/ petitioner claims compassionate employment. His father Gaurishankar, a clerk in Respondent No. 2 – School expired in 2011. After his death from July 2011, the petitioner made applications and sought employment on compassionate ground. The petitioner claims that he was given some work temporarily but his appointment on compassionate ground did not materialize.

3. The learned AGP is seeking time to file reply.

4. Nobody appears for respondent No. 5 – Head Master, though served.

5. Insofar as service on educational institute or its office bearers are concerned, the petitioner states that some

of them have expired and, therefore, there is some problem.

6. We find that this Court has issued notice on 15.01.2016 and the matter has remained pending since then. In this situation, instead of calling upon the respondents to file their replies, interest of justice can be met with by directing the petitioner, respondent No. 5 and respondent No. 2 – Educational Society to appear before respondent No. 6 – Education Officer on 20.02.2017. Respondent No. 6 shall thereafter verify necessary records and take a decision on eligibility of the petitioner for grant of employment on compassionate ground. If he is found entitled, the consequential steps then can be undertaken by respondent Nos. 2 and 5. This exercise shall be completed within next three months.

7. With these directions and keeping all rival contentions open, we dispose of the present writ petition as also civil application. No order as to costs.

JUDGE

JUDGE

*GS.