

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

WRIT PETITION NO.1201 OF 2018

Ganesh Ramdas Kakde.

Petitioner.

Versus

The State of Maharashtra and others.

Respondents.

Mr. D.M. Shinde, Advocate for the petitioner.

Mr. P.N. Kutti, A.G.P. for the State/respondent Nos.1 to 4.

Mr. A.V. Hon, Advocate for respondent No.5.

CORAM : **S.V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

Dated : **9th July, 2018.**

FINAL ORDER :-

. The petitioner seeks appointment on compassionate ground. Learned Counsel for the petitioner submits that father of the petitioner was working as a Clerk with respondent No.5-School. On 23.12.2014, father of the petitioner died. In February 2015 the petitioner applied for appointment on compassionate ground. The said application is not considered by respondent No.5.

2. Mr. Hon, learned Counsel submits that there are already six applicants in the wait list seeking appointments on the compassionate ground and the vacancy does not exist.

3. In such scenario, the Government Resolution dated 31st December 2002 would operate.
4. Respondent No.5 shall forward the proposal of the petitioner to the Education Officer, seeking appointment on compassionate ground. The Education Officer shall keep the petitioner in the wait list of the candidates to be appointed on compassionate ground and may accommodate the petitioner as per the vacancy and seniority in the wait-list.
5. Writ Petition is disposed of. No costs.

(SUNIL K. KOTWAL)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

vdd/