

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

929 WRIT PETITION NO.4542 OF 2002

SHAIKH SALIM SHAIKH AMIN

..PETITIONER

VERSUS

ZILLA PARISHAD PARBHANI AND ANOTHER ..RESPONDENTS

...

Mr. Sudarshan J. Salunke, Advocate for the
Petitioner.

Mr. A. V. Deshmukh, AGP for Respondent-State.

Mr. V. R. Sonwalkar, Advocate for the Respondent
No.1.

...

**CORAM : S. V. GANGAPURWALA &
S. M. GAVHANE, JJ.**

DATED : 05th OCTOBER, 2018.

PER COURT:-

1. Mr. Salunke, learned counsel for the petitioner submits that the mother of the petitioner was prematurely retired on medical ground. The certificate is also issued by the Medical Board as per Section 72 of the Maharashtra Civil Services (Pension) Rules, 1982. Immediately the petitioner applied for appointment on compassionate ground. The petitioner fulfilled all the eligibility criteria. The respondents rejected the application relying on the Government Resolution dated 28.03.2001. It was stated that only dependents of employees declared invalid due to ailments like Cancer, Paralysis and an accident

are eligible for such appointments. The ground mentioned is unreasonable.

2. We had heard Mr. Sonwalkar, learned counsel for respondent no.1. The purpose of appointment on compassionate ground would not survive after 16 years.

3. More over, at the relevant time, the Government Resolution dated 28.03.2001 was operating. In view of such Government Resolution, the petitioner's claim was negatived. The order does not appear to be erroneous.

4. The writ petition as such is dismissed.
No costs.

(S. M. GAVHANE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

Devendra/October-18

Devendra
Nandkumar
Kale

Digitally signed
by Devendra
Nandkumar Kale
Date: 2018.10.06
15:03:07 +0530