

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

WRIT PETITION NO. 3630 OF 2017

Sadhana Yuvraj Pol

.. Petitioner

Versus

New Model Education Society

Through its Chairman and others

.. Respondents

Shri L. V. Sangeet, Advocate for the Petitioner.

Shri Y. S. Chaudhari, Advocate h/f Shri Y. U. Kakade, Advocate
for the Respondent No. 1.

Shri A. S. Shinde, A.G.P. for Respondent Nos. 2 and 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 09TH APRIL, 2018.

FINAL ORDER :

. The husband of the petitioner while working as a peon with the respondent No. 1 died on 23.08.2016. On 04.10.2016, the petitioner applied for appointment on compassionate ground for the post of clerk/peon. The application is not considered.

2. According to the respondent No. 1, the vacancy does not exist with the respondent No. 1/school. In that scenario Government Resolution dated 31st December, 2002 has to be followed.

3. The respondent No. 1/Management shall forward the proposal to the respondent No. 2. The respondent No. 2 after considering that the petitioner complies with all the conditions, shall place the petitioner in the wait list of the candidates to be absorbed on compassionate ground as per the seniority. In case post becomes available with the respondent No. 1, then the petitioner can be absorbed in the respondent No. 1 or as per seniority is required to be absorbed as per the conditions enumerated in the G. R. dated 31.12.2002. The respondent No. 1 shall forward the proposal to the respondent No. 2 within a period of four (04) weeks from today. Needless to state that ban on recruitment does not apply to the appointment on the compassionate ground. The writ petition is disposed of. No costs.

[A. M. DHAVALÉ, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 18