

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6303 OF 2018

Dipak Madhukar Deshmukh

.. **Petitioner**

Versus

Rashtriya Sahkari Shikshan Prasarak
Mandal Ltd. Chalisgaon,
Through it's Chairman and others

.. **Respondents**

Mr. Paresh B. Patil, Advocate for the Petitioner.
Respondent No. 1 – served.

Mr. Mukund D. Gitte, Advocate for Respondent No.
2.

Mrs. M. A. Deshpande, Addl. G. P. for Respondent
No. 3.

CORAM: S. V. GANGAPURWALA &
R. G. AVACHAT, JJ.

DATE: 17th DECEMBER, 2018

PER COURT :

1. The learned counsel for the petitioner submits that the petitioner had applied for appointment on compassionate ground, however, his claim is kept pending and appointment order is not given.

2. The learned counsel for the respondent - Management submits that the petitioner is working

as 'Watchman' on honorarium basis sine the year – 2007. Further, there is ban on recruitment and due to which the appointment order is not issued.

3. Time and again we have held that ban on recruitment would not apply to appointment on compassionate ground. According to the learned counsel for the Management, the vacancy is available.

4. The respondent – Management shall give appointment order to the petitioner for the said post / Class-IV post and submit the proposal to the Education Officer for approval. The Education Officer shall not reject the proposal on the ground that the appointment of the petitioner is during the ban period, as the said appointment is on compassionate ground.

5. The writ petition accordingly stands disposed of. No costs.

[R. G. AVACHAT, J.] [S. V. GANGAPURWALA, J.]
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