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

**WRIT PETITION NO.5310 OF 2017**

Smt. Prema w/o Sampati Rokade,  
Aged: Major, Occ: Nil,  
R/o Sawargaon (Rokada), Tq. Ahmedpur,  
Dist. Latur

..PETITIONER

VERSUS

1. The State of Maharashtra,  
Through the Collector, Latur  
And The Secretary, Education & Sports  
Department, Mantralaya, Mumbai
  2. The Dy. Director,  
Education Region, Latur,  
Tq. & Dist. Latur
  3. The Education Officer (Secondary),  
Zilla Parishad, Latur
  4. The President,  
Jai Hanuman Shikshan Prasarak Mandal,  
Mogha, Tq. Ahmedpur, Dist. Latur
  5. The Secretary,  
Jai Hanuman Shikshan Prasarak Mandal,  
Mogha, Tq. Ahmedpur, Dist. Latur
  6. The Head Master,  
Shivaji Secondary School-Higher Secondary  
School, Satala, Tq. Ahmedpur, Dist. Latur
- ..RESPONDENTS

Mr G. N. Patil, Advocate for petitioner;  
Mr S. S. Dande, A.G.P. for respondent Nos.1 to 3;  
Mr V. C. Patil, Advocate for respondent Nos.4 to 6

**CORAM : PRASANNA B. VARALE  
AND  
MANISH PITALE, JJ.**

**DATE : 28th August, 2018**

**ORAL ORDER:**

Heard learned Counsel appearing on behalf of the petitioner.

2. A very limited grievance is raised in the petition. The petitioner submits that she is wife of deceased Sampati Raghunath Rokade who expired on 27th April, 2014 in an accident while he was in service on the post of Assistant Teacher in Shivaji Secondary and Higher Secondary School, Satala run by private management, namely, Jai Hanuman Shikshan Prasarak Mandal, Mogha. It is submitted before us that deceased employee Sampati Rokade was a permanent employee and the approval was received in his favour. Learned Counsel then submitted that due to untimely death of the husband of the petitioner, the family was facing financial hardships and to come out of the financial constraints and hardship, the only remedy available with her was to approach the respondents requesting to appoint her on compassionate ground in view of the policy of the State Government. It is also submitted that the representations are made to the respondents authorities as well as the Management. Learned Counsel then by inviting our attention to the amendment and more particularly the amended prayer clause No. (BB) submitted that the only limited prayer of the petitioner is to place her in the list i.e. waiting list prepared by respondent No.1 -Committee in view of the Government Resolution dated 2nd December, 2015, maintained by respondents No.3 to 6 and to consider her claim as per her

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turn in the waiting list prepared by the respondents-authorities. Learned Counsel also invited our attention to the Government Resolutions which are placed on record, namely, Government Resolution dated 10th April, 2007 as well as 2nd December, 2015. It is submitted that by way of the Government Resolution dated 2nd December, 2015 even the private management and the institutes are directed to accommodate the persons who are seeking appointments on compassionate ground and accordingly a committee is also constituted for the said purposes.

3. Considering the grievance raised by the petitioner and on perusal of the material placed on record, we are of the opinion that a case is made out by the learned Counsel for the petitioner for allowing the petition in terms of amended prayer clause (BB) at page 10A of the petition. We are also of the opinion that with the prayer granted by us no prejudice is caused to the respondents-authorities as the claim of the petitioner would certainly be considered along with the other candidates staking their claim in the waiting list. In the result, petition is allowed in terms of prayer clause (BB) and disposed of.

**(MANISH PITALE, J.)**

**(PRASANNA B. VARALE, J.)**