

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

WRIT PETITION NO. 5488 OF 2018

SNEHA AVINASH MORE
VERSUS
RASHTRIAYA SAHKARI SHIKSHAN PRASARAK MANDAL LTD
CHALISGAON AND OTHERS

...
Advocate for Petitioner : Mr. Paresh B. Patil
Advocate for Respondents No. 1 to 3 : Mr. Mukund D. Gitte
AGP for Respondent No. 4 : Mr. S. B. Narwade
...

**CORAM : S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATED : 21st NOVEMBER, 2018

Order :-

Heard learned counsel for appearing parties.

2. Learned counsel appearing for petitioner submits that the petitioner is entitled for appointment on compassionate ground. Her name is already included in the Wait List. Respondents No. 2 and 3 have not taken decision either to absorb the petitioner in place of her father or appoint the petitioner on compassionate ground.

3. Learned counsel appearing for respondents No. 1 to 3 submits that there is ban on recruitment by the State Government, therefore, they are not able to consider the request of petitioner for his appointment on compassionate ground.

4. The statement of the learned counsel appearing for the petitioner that the name of petitioner is included in the Wait List is not disputed by the learned counsel appearing for respondents No. 1 to 3. In that

view of the matter, we direct respondent Nos. 1 to 3 to consider the request of the petitioner for her appointment on compassionate ground on Class III or Class IV post in accordance with relevant procedure and seniority and as per availability of the posts of clerk/peon, as expeditiously as possible and preferably within a period of three months from today.

5. Needless to observe that respondents No. 1 to 3 shall obtain prior permission of respondent No. 4 before taking such decision about appointment of the petitioner on compassionate ground. The decision, which would be taken by respondents No. 1 to 3, shall be communicated to the petitioner. The entire exercise to be done within a period of three (3) months from today.

6. With above directions, the petition stands disposed of.

7. We make it clear that we have not entered into contentions on merits about entitlement of the petitioner.

8. Parties to act upon the authenticated copy of this order.

[K. K. SONAWANE, J.]

[S. S. SHINDE, J.]