

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6056 OF 2017

Santosh Sudhirrao Patil

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri S. G. Rudrawar, Advocate for the Petitioner.

Shri K. N. Lokhande, A.G.P. for Respondent No. 1.

Shri Respondent No. 2 served.

Shri Manish P. Tripathi, Advocate for Respondent Nos. 3 and 4.

CORAM : **S. V. GANGAPURWALA &**
SUNIL K. KOTWAL, JJ.

DATE : **26th June, 2018**

PER COURT :

1. Petitioner seeks appointment on compassionate ground.
2. Mr. Rudrawar, learned counsel for the petitioner submits that the mother of the petitioner was serving as a Headmistress with respondent no. 4 - school. While in service the mother of the petitioner died. The petitioner within the prescribed period of limitation applied for appointment on compassionate ground.

3. The petitioner is the only son of the deceased and the petitioner has one sister and father. According to the learned counsel, as per the scheme the petitioner is entitled for appointment on compassionate ground. The petitioner has qualification to be appointed as a Clerk.

4. Mr. Tripathi, learned counsel for respondent nos. 3 and 4 submits that the petitioner is residing with his father and the father of the petitioner was also in Government service and receiving pension. On the death of the mother, the pension would also be received. The learned counsel submits that the financial condition of the family of the petitioner is not precarious. The learned counsel further submits that no Class III or Class IV post is vacant with the respondent – institution. The scheme for appointment on compassionate ground is to provide immediate succour to the family of the person dying in harness. It has been contended that the father of the petitioner was in Government service. On death of the mother of the petitioner the family pension would also be received along with retiral benefits.

5. We would have considered the case of the petitioner had the financial condition of the petitioner would be precarious but that does not appears to be so. Considering all the aforesaid aspects of the matter, the grievance of the petitioner cannot be considered.

6. Writ Petition accordingly stands disposed of. No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

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