

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8833 OF 2017

Jayshree Chandrakiran Bhalerao
(Jayshree Prabhakar Tayade)

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Sachin Deshmukh h/f Shri Shantaram R. Dheple, Advocate
for the Petitioner.

Mrs. M. A. Deshpande, Addl. G. P. for Respondent Nos. 1 to 3.

Shri Shailesh P. Brahme, Advocate for Respondent Nos. 4 and 6.

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

DATE : 18th April, 2018

PER COURT :

1. Mr. Deshmukh, learned counsel for the petitioner submits that the husband of the petitioner was working with the respondent - institution as a Junior Lecturer. While in service he died on 07.09.2013. The petitioner on 28.10.2013 made an application requesting appointment on compassionate ground as per her qualification. Even the Education Officer, so also, the Headmaster have recommended the case of the petitioner but the appointment is not given.

2. Mr. Brahme, learned counsel for the respondent - institution submits that there are restrictions in making appointment on compassionate ground. The Government Resolutions are to be adhered too. The compassionate appointment cannot be claimed as of right.

3. The learned Additional Government Pleader submits that, it is for the institution to take steps to appoint a person on compassionate ground and even as per the Government Resolution dated 12.02.2015, the fresh recruitment for non teaching staff cannot be made.

4. We have considered the submissions canvassed by the learned counsel for respective parties.

5. Considering the over all conspectus of the matter, it appears that the application has been made by the petitioner within the stipulated period. The petitioner complies all other requirements for appointment on compassionate ground.

6. The respondent - institution shall consider the claim of the petitioner for appointment on compassionate ground considering

relevant Government Resolution in vogue. The decision upon it shall be taken expeditiously and preferably within three (3) months.

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

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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