

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

WRIT PETITION NO. 7870 OF 2014

Pravin S/o Chandrakant Kolhe

... Petitioner

VERSUS

Marutrao Ghule Patil Shikshan Sanstha & Ors.

... Respondents

.....

Mr L. V. Sangit, Advocate for the petitioner

Mr P. S. Patil, AGP for respondent/State

Mr Himmatsinh D. Deshmukh, Advocate for respondent no. 2

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

DATE : 30TH JANUARY, 2018.

ORDER:

1. Mr Sangit, the learned advocate for the petitioner submits that, an application has been made for appointment on compassionate ground. The father of the petitioner was working as Lab Assistant at the time when he expired while in service.

2. Mr Deshmukh, the learned advocate for respondent-Institution accepts that, post of Clerk is vacant and the petitioner can be accommodated on the post but there is ban on recruitment.

3. The ban on recruitment would not apply to the appointment on compassionate ground.
4. The respondent shall appoint the petitioner on the available and vacant post on compassionate ground on verifying that the petitioner possesses the qualification for appointment on the said post. The appointment order shall be issued expeditiously, within one month. The respondent-Institution shall submit the proposal to the Education Officer. The said proposal shall not be rejected on the ground that there is a ban on recruitment.
5. The writ petition is, accordingly, disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde