

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

BENCH AT AURANGABAD.

WRIT PETITION NO.10313 OF 2017

Dnyandeo S/o Kondiba Waghmare... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.N.D.Kendre, advocate holding for Mr.S.S.Bhise,
advocate for the petitioner.
Mr.A.S.Shinde, A.G.P. for the State.

...

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

Date : 05.02.2018.

PER COURT :

1. The petitioner seeks appointment on
compassionate ground.

2. Learned counsel for the petitioner
submits that petitioner had applied for
appointment on compassionate ground on the death
of his father in the year 2008. Only four months
have remained for completion of 45 years of age

of the petitioner. There are vacant posts. The Respondents are not filling any post by making appointment on compassionate ground.

3. We have also heard learned A.G.P.

4. The claim of the petitioner for appointment on compassionate ground is 10 years back. It is not the case that the Respondents have not considered the petitioner's application. The petitioner is placed in the seniority list of the persons to be appointed on compassionate ground. The petitioner is at serial No.6. The Respondents can not be directed to dislodge the senior candidates. Even all vacant posts can not be allowed to fill in by compassionate appointment.

5. Considering the aforesaid conspectus that five persons in the list maintained by the Respondents for appointment on compassionate ground are senior to the petitioner, directions can not be issued to appoint the petitioner by deviating from the seniority list.

6. The Writ Petition is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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