

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3236 OF 2018

B. G. Vishwasta Nidhi Adawad Trust's
Nutan Dnyan Mandir,
Secondary and Higher Secondary School, Mhasavad,
Through its Head Master and another .. **Petitioners**

Versus

The State of Maharashtra and another .. **Respondents**

Shri Ajay G. Talhar, Advocate for the Petitioners.
Shri N. T. Bhagat, A.G.P. for Respondents.

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

DATE : 11th June, 2018

PER COURT :

1. Issue notice to respondents. Learned A.G.P. accepts notice for respondent nos. 1 and 2.
2. The grievance of the petitioners is that the proposal seeking approval to the appointment of petitioner no. 2 on compassionate ground is rejected. The learned counsel for the petitioners submits that the said issue is no longer *res integra* as

is held by the Division Bench of this court in Writ Petition No. 7614 of 2015 under order dated 16th October, 2015.

3. In the light of above, the impugned order is quashed and set aside. The Education officer (Secondary) shall re-consider the proposal seeking approval to the appointment of petitioner no. 2 on compassionate ground on its own merits, in accordance with law and policy and shall not reject it on the ground that appointment of petitioner no. 2 was after the year - 2012.

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

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

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