

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

56 WRIT PETITION NO. 3235 OF 2018

B G VISHWASTA NIDHI ADAWAD TRUSTS NUTAN DNYAN MANDIR
THROUGH ITS HEAD MASTER D S
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioners : Mr. Talhar Ajay G.
AGP for Respondents 1 and 2 : Mr. A.V.Deshmukh

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

DATE : JUNE 7, 2018

O R D E R :

The proposal seeking approval to the appointment of the petitioner is rejected. The only reason mentioned is that at the relevant time there was ban on recruitment. The petitioner is appointed on compassionate ground.

2. In number of matters, it has been held that ban on recruitment would not apply to the appointment on compassionate ground. It is stated that the petitioner is also from reserved category.

3. Considering the above, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner, on its own merits, in accordance with law and policy and shall not reject it on the ground on which impugned order was passed. Same shall be decided expeditiously, preferably within four months.

4. Writ Petition is disposed of. No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

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