

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1512 OF 2018

Ganesh Adinath Khade

.. **Petitioner**

Versus

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

Shri Tushar M. Tandale, Advocate for the Petitioner.

Shri A. V. Deshmukh, A.G.P. for Respondent Nos. 1 to 3.

Shri Vivek V. Tarde, Advocate for Respondent Nos. 4 and 5.

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

DATE : 12th July, 2018

PER COURT :

1. Learned counsel for the petitioner submits that the petitioner was appointed on compassionate ground as a 'Peon' on 31.01.2013. The said proposal is not decided, however, communication is made by the Education Officer to the member of the parliament referring to certain Government Resolutions. The same would not apply to the petitioner.

2. Learned Assistant Government Pleader submits that the proposal is still pending. The authority would take decision on its own merits.

3. The Government Resolution imposing ban on recruitment would not apply to the appointment made on compassionate ground. However, other aspects will have to be considered by the respondent – Education Officer.

4. Considering the above, the respondent – Education Officer shall decide the proposal referred to him by the Headmaster (**Exhibit – E, Page No. 25**) on its own merits, in accordance with law and policy, expeditiously and preferably within a period of four (4) months.

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

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

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