

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

WRIT PETITION NO. 14920 OF 2017

Sachin S/o Nanasaheb Choure ... Petitioner

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr R. I. Wakade, Advocate for the petitioner
Mr S. B. Pulkundwar, AGP for respondent/State
.....

WITH

WRIT PETITION NO. 15007 OF 2017

Yogita Bibhishan Shinde ... Petitioner

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr R. I. Wakade, Advocate for the petitioner
Mr A. V. Deshmukh, AGP for respondent/State
.....

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

DATE : 22ND JANUARY, 2018.

ORDER:

. The petitioners are appointed on compassionate ground as Shikshan Sevak. The proposal seeking approval to their appointment is rejected basically on the ground that their appointment is after 31.12.2011.

2. We have heard the learned counsel for the petitioners and learned AGP.

3. The impugned orders do not refer to any Govt. Resolution nor any reason is stated as to why approval cannot be granted to the appointments made after 31.12.2011. The impugned order is as vague as it could be.

4. The petitioners, as claimed, are appointed on compassionate ground. Of course, the respondent has to consider other aspects i.e. their eligibility, availability of the posts and the other aspects. However could not have rejected the proposal on the ground of ban on recruitments or that their appointment is after 31.12.2011.

5. Considering the above, the impugned orders are quashed and set aside. The Education Officer shall decide the proposal seeking approval to the appointment of the petitioners on the compassionate ground afresh, on its own merits and in accordance with law and shall not reject it on the ground the impugned order is passed. The said proposal shall be considered expeditiously, preferably within six months from today.

6. The writ petitions are, accordingly, disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde