

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.11357 OF 2016

Lata Suryakant Jadhav

...Petitioner

vs.

The State of Maharashtra and Others

...Respondents

Mr. S.A. Rajeshirke, for the Petitioner

Mr. N.C. Walimbe, AGP for the Respondents-State.

**CORAM : SHANTANU KEMKAR &
R.G. KETKAR, JJ.**

DATE : FEBRUARY 23, 2018

P.C.:

. The Petitioner claims that her husband was working as “Peon” with Respondent Nos. 4 and 5. He died in harness on 25th July, 2007 seeking compassionate appointment in his place, the Petitioner had submitted application on 26th September, 2007 (Exhibit “B”).

2. According to the Petitioner, thereafter the Petitioner made several applications but her applications were not considered by Respondent Nos. 1 to 3 on the ground that the posts are not available.

3. In spite of repeated opportunities, the State has not filed reply as yet. The Respondent Nos. 4 and 5 have filed reply.

They have stated that they are willing to give appointment if the Respondent Nos. 1 to 3 approves the Petitioner's appointment on compassionate basis as there are vacant posts available with them.

4. Having considered the submissions of the learned counsel for the parties, we find that the Respondent Nos. 1 to 3 have not taken any decision on the Petitioner's application as yet.

5. In the circumstances, we dispose of this Petition by directing Respondent No. 3 – Education Officer to decide the Petitioner's claim for compassionate appointment taking into consideration the stand taken by the Respondent Nos. 4 and 5 as also the letter dated 18th November, 2014 (Exhibit “B”) sent by Respondent Nos. 4 and 5 to Respondent No. 3.

6. Let the decision as aforesaid be taken by the Respondent No. 3 – Education Officer in accordance with law as expeditiously as possible but in any case not later than three months from the date of receipt of copy of this order.

7. With the aforesaid direction, the Petition is disposed of.

8. The learned AGP is directed to inform the Respondent No. 3 about passing of this order.

(R.G.KETKAR, J.)

(SHANTANU KEMKAR, J.)