

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

WRIT PETITION NO. 1071 OF 2018

Mohan Shamrao Bansode

.. Petitioner

Versus

The State of Maharashtra and another .. Respondents

Shri V. D. Salunke, Advocate for the Petitioner.

Shri S. P. Tiwari, A.G.P. for the Respondent No. 1.

Ms. Suvarna Zaware, Advocate for the Respondent No. 2.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 20TH MARCH, 2019.

FINAL ORDER :

. The learned counsel for the petitioner submits that, the petitioner had applied for appointment on compassionate ground on account of death of his father. His father was working as compounder with the respondent No. 2/establishment and while in service died on 13.08.2006. The learned counsel submits that, the application of the petitioner was initially rejected on the ground that the mother of the petitioner is in service of Zilla Parishad as an A.N.M. Thereafter, the petitioner had again made a representation and that time the said representation is rejected on the ground that the petitioner has two sisters and they are in service. The sisters are married, as such their

employment cannot be considered. The petitioner was dependent upon his father. The purpose of compassionate appointment would be frustrated, if the claim of the petitioner is rejected on such a ground.

2. Ms. Zaware, the learned advocate for the Zilla Parishad submits that, the application of the petitioner seeking appointment on compassionate ground is rightly rejected as per the Government Resolution dated 29th October, 1994. Clause 7-B of the annexure to the G. R. dated 29th October, 1994 is attracted.

3. We have considered the submissions canvassed by the learned counsel for respective parties.

4. It appears that, at the time when the father of the petitioner died, the mother of the petitioner was working with the Zilla Parishad as an A.N.M and she was in service for two years after death of father of the petitioner. Naturally, the scheme of compassionate appointment would not be applicable to the petitioner. The purpose for giving appointment on compassionate ground is to provide immediate succor to the family of the deceased dying in harness. The mother of the petitioner was in service of the Zilla Parishad as an A.N.M. at the time of death of the father of the petitioner.

5. In view of the above, the case of the petitioner cannot be considered for appointment on compassionate ground. The writ petition is dismissed. No costs.

[A. M. DHAVALA, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19