

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5321 OF 2018

MEGHA GAUTAM MATE @ MEGHA MARUTI KHODWE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner :
Mr. Shantanu Deshpande h/f. Mr. Dr. Godbole R. J.
AGP for Respondents No. 1 & 2 : Mr. P. S. Patil
Advocate for Respondents No. 3 & 4 :
Mr. S. T. Veer

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

DATE: 27th MARCH, 2019

PER COURT :

1. The petitioner seeks appointment on compassionate ground. The husband of the petitioner died on 06.11.2011. It is claimed that the petitioner applied for appointment on compassionate ground immediately on 25.01.2012, 16.05.2012 and 30.05.2012. It is further contended that the Education Officer has also asked respondent no. 4 to submit report of compliance and appoint the petitioner as per her

qualification. At the relevant time, the petitioner was 12th passed. Now the petitioner has completed B.Sc and B.Ed.

2. The learned counsel for respondent no. 4 submits that at the time when the petitioner had applied the petitioner was not qualified for the post of Assistant Teacher. No post of Clerk or Peon was vacant. The same was already intimated to the Education Officer.

3. The petitioner had applied to be appointed as Peon. In respect of that, as per Government Resolution dated 31.12.2002 the management could have forwarded the proposal to the Education Officer and the petitioner should have been kept in the wait list of the persons to be appointed on compassionate ground.

4. No such exercise was adopted by the management.

5. In case there is no vacancy with respondent /

institution, then the respondent / institution shall forward the proposal of the petitioner for appointment on compassionate ground to the Education Officer. The Education Officer shall deal with the said proposal as per Government Resolution dated 31.12.2002, and if found eligible, shall keep the petitioner on the wait list of the persons to be appointed on compassionate ground on the post of 'Clerk' or 'Peon'.

6. Writ Petition stands disposed of accordingly.

No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]

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