

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

WRIT PETITION NO. 6534 OF 2016

Sachin Bhagwan Galte Petitioner
Versus
The State of Maharashtra & Ors. Respondents
.....
Shri. Santosh G. Chapalgaonkar, Advocate for the petitioner
Shri. S. M. Ganachari, AGP for respondent/State
.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.
DATE : 12TH FEBRUARY, 2019**

ORAL ORDER:

1. Shri. Santosh Chapalgaonkar, learned counsel for the petitioner submits that, the father of the petitioner was working as a Safai Kamgar and was assigned the job of Driver. He died on 20.09.2003. The petitioner filed an application seeking appointment on compassionate ground as a driver in the Safai Department or any other post on Class-IV. The application has been erroneously rejected. The petitioner is entitled for the appointment as per Lad-Page Committee Report. The grounds mentioned by the respondents are erroneous.

2. The learned counsel for the Municipal Council submits that, the claim of the petitioner was rejected in the year 2003. Thereafter, again it was rejected in the year 2005 and 2007. The petitioners

approached the Court late. The father of the petitioner was working as a Driver.

3. We have considered the submissions. If the person is working as s Safai Kamgar, may be as a Driver in the Safai Department, the petitioner's case ought to have been sympathetically considered as per Lad-Page Committee Report. It is also submitted by the learned counsel for the petitioner that the petitioner belongs to Scheduled Caste. The said case ought to have been sympathetically considered by the respondents, of course if all other conditions are complied and satisfied.

4. In the result, the respondents shall consider the case of the petitioner for appointment on compassionate ground being the legal heir of the deceased Bhagwan Vishnu Galte, who was employed in the Safai Department, on its own merits, expeditiously, preferably within a period of four months from today.

5. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE