

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

WRIT PETITION NO. 12658 OF 2018

Mahesh Bhagwan Kadam

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Santosh S. Jadhavar, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for Respondent Nos. 1 and 2.

Shri Pradeep G. Tambade, Advocate for Respondent Nos. 3 and 4

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

DATE : 12TH MARCH, 2019.

FINAL ORDER :

. The petitioner claims to have been appointed on compassionate ground as a peon. The proposal seeking approval to the appointment of the petitioner is rejected on the ground that at the relevant time there was ban on recruitment.

2. It appears that, the respondents failed to consider that the Government Resolution has been issued to the effect that those who are in the wait list upto 2011 for appointment on compassionate ground should be considered for appointment and ban on recruitment would not apply.

3. Considering the above, the reason given for rejection of the proposal seeking approval to the appointment of the petitioner is erroneous. As such, the impugned order is quashed and set aside. The respondents shall reconsider the proposal seeking approval to the appointment of the petitioner on compassionate ground and shall not reject it on the ground on which proposal was rejected. The same shall be decided expeditiously and preferably within a period of four (04) months from today. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19