

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

WRIT PETITION NO.5922 OF 2017

**JAYANT MADHUKAR SAPKE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. U.R. Awate h/f Mr. B.N. Sharma, Advocate for the petitioner
Mr. S.S. Dande, AGP for the respondents/State
Mr. S.B. Munde, Advocate for respondent No.2.

**CORAM : SUNIL P. DESHMUKH &
S.M.GAVHANE, JJ.**

DATED : 07-08-2019

P.C. :-

1. Heard learned counsel for the petitioner, learned counsel for respondent No. 2 and learned AGP for respondents No. 1 and 3.

2. Petitioner's request for compassionate appointment on death of his father, had been met with a negative response from respondent No. 2 referring to that father had not suffered disease mentioned in Government Resolution dated 28-03-2001.

3. It is the case of the petitioner that said rejection is not proper since the matter had not been referred to Medical Board by forwarding medical certificate submitted by the petitioner to respondent No. 2. It appears, petitioner had moved an application to respondent No. 2 to refer the matter to Medical Board for opinion. Accordingly, it appears respondent No. 2 had addressed a communication to respondent No. 3 and requested to give opinion on the medical certificate of father of petitioner.

4. Having regard to that as yet no opinion is given, it appears to be expedient that respondent No. 3 responds to the request made by respondent No. 2 for opinion on medical certificate of father of the petitioner may be by calling for requisites, if any, as early as possible, preferably within a period of six weeks from the date of receipt of writ of this order.

5. With aforesaid, writ petition is disposed of.

[S.M.GAVHANE,J.]

[SUNIL P. DESHMUKH,J.]