

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

WRIT PETITION NO. 7017 OF 2019

Shivaji Gangadhar Vir

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Mr. Rahul B. Temak, Advocate for Petitioner.

Mr. S. B. Narwade, AGP for Respondents-State.

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATED : 08th JANUARY, 2020.

PER COURT:-

. The proposal seeking approval to the appointment of the petitioner as Shikshan Sevak is rejected. The same is rejected basically on the ground that as per Government Resolution dated 02.05.2012 there was ban recruitment. The Government Resolution dated 23.06.2017 prescribes fresh procedure for filling the post and that there is nothing on record to show that LR's. of the deceased have applied for appointment on compassionate ground.

2. The management filed affidavit stating that LR's. of the deceased have never applied for appointment on compassionate ground. The Government Resolution dated 23.06.2017 would not apply as the

petitioner claims to have been appointed prior to the Government Resolution i.e. on 02.03.2017. The petitioner claims to be appointed from NTC (reserved category). The said aspect is required to be considered by the Education Officer.

3. In the light of the above, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner as Shikshan Sevak on its own merits afresh, expeditiously and preferably within a period of four (04) months from today.

4. Writ petition accordingly is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

PS.B.