

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

94 WRIT PETITION NO.6918 OF 2019

LAXMIBAI PRAKASH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr Panpatte V. S.
AGP for Respondents: Mrs A V Gondhalekar
Advocate for Respondent No.3 : Mr S B Pulkundwar
Advocate for Respondent No.4 : Mr. S B Pulkundwar
Advocate for Respondent No.5 : Mr Irfan D Maniyar

CORAM : S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 20th January, 2020

ORDER:

1. The proposal seeking approval to the appointment of the petitioner is rejected.

2. Learned counsel for the petitioner submitted that the petitioner had applied for appointment on compassionate ground on account of death of her husband. The husband admittedly was working on unaided post. Mr. Panpatte, the learned counsel submits that the petitioner was appointed on the post of her husband i.e. on unaided post.

3. If this is the position, then clause 1 of the order may not survive. Mr. Pulkundwar, the learned counsel submits that the scheme for compassionate appointment is applicable to unaided post also. In view of that clause 2 also would not apply. As the petitioner is appointed on the post held by her husband clause 3 would also not apply.

4. The Education officer shall reconsider the proposal seeking

approval to the appointment of the petitioner on compassionate ground on unaided post i.e. the post held by husband of the petitioner on its own merits preferably within six months. Writ petition accordingly disposed of. No costs. All contentions are kept open.

(SHRIKANT D. KULKARNI, J.)

(S.V.GANGAPURWALA, J.)

JPC