

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6720 OF 2020

Alka W/o Jivanprakash Ganjle (Papayya) ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr S.M. Vibhute, Advocate for Petitioner
Mr S.B. Pulkundwar, A.G.P. for Respondent No. 1

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 19th OCTOBER, 2020

ORAL JUDGMENT : (PER S.V. GANGAPURWALA, J.) :

1. Rule. Rule is made returnable forthwith. With the consent of the learned Counsel for the parties, the petition is heard finally.
2. Mr Vibhute, the learned Counsel for the petitioner submits that the petitioner is appointed on compassionate ground. He submits that a person appointed on compassionate ground is not required to submit the validation certificate. The respondents have placed the petitioner on supernumerary post on the ground that validity certificate is not submitted.
3. None appears for respondent Nos. 2 and 3 though served.
4. It is not in dispute that upon death of the husband of the petitioner, the petitioner has been appointed on compassionate ground.

This Court has consistently held that a person appointed on compassionate ground upon death of an employee, is not required to submit the validation certificate.

5. In the light of the above, the impugned order is quashed and set aside. The writ petition is allowed.

6. Rule is made absolute accordingly.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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