

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

73 WRIT PETITION NO.8189 OF 2021

**MAHESH DATTATRAY BIRADAR
VERSUS
THE STATE OF MAHARASHTRA & OTHERS**

...

Advocate for Petitioner : Mr.D.B.Bhange
AGP for Respondent-State : Mr.S.K.Tambe
Advocate for respondent nos.4 and 5 : Mr.S.V.Kurundkar

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**CORAM : S.V.GANGAPURWALA &
S.G.DIGE, JJ.**

DATE : 06.12.2021

P.C. :

1] The petitioner seeks appointment on compassionate ground.

2] We have heard learned counsel for the petitioner and learned counsel for the respondents.

3] Respondent nos. 4 and 5 have filed affidavit. Para no.1 of the said affidavit states that as per the staffing pattern not a single post is vacant in the school run by respondent no.4.

4] The petitioner is seeking compassionate appointment on the ground of death of his father, namely, Dattatraya Nivruttirao Biradar, who was working as Physical Education Teacher.

5] As it is contended that no post is vacant then in such case, the management of respondent nos.4 and 5 shall forward the proposal of the petitioner for appointment on compassionate ground to the Education Officer. The Education Officer, on receipt of the said proposal, shall process the same and if same is in order shall maintain the name of the petitioner in the waiting list of the persons to be appointed on compassionate ground and take steps accordingly. The management may consider the said proposal and if vacancy is not available, shall forward the same to the Education Officer preferably within three months.

6] Writ Petition is disposed of.

[S.G.DIGE, J.]

[S.V.GANGAPURWALA, J.]

DDC