

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5813 OF 2021

Pankaj Laxman Khare

... Petitioner

Vs.

State of Maharashtra and Anr.

... Respondents.

Mr. M. V. Thorat with Mr. Amar Bodke and Mr. Gajanan Kukde, Advocates
for Petitioner.

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

**CORAM : PRASANNA B. VARALE &
ABHAY AHUJA, JJ.**

DATE : 14TH OCTOBER 2021

P.C. :

1. Heard learned counsel for petitioner.

2. Though notice was issued to the respondents by an order dated 23rd September 2021, making the same returnable on 14th October 2021, neither counsel for respondent no. 2 is present before this Court, nor any reply is filed at the instance of respondent no. 2- Chief Executive Officer, Zilla Parishad, Solapur.

3. Considering the fact that though the limited issue is involved in this petition, we deem it appropriate to dispose the petition at the admission stage itself.

4. The facts that arise in the present petition are summarised as follows:-

The father of petitioner was working as a Gram Sevak in the services of Zilla Parishad, Solapur. On 16th May 2010, father of petitioner expired, leaving behind him the petitioner-son, two daughters as well as surviving wife. Admittedly, petitioner was minor when his father expired. On attaining majority and obtaining the eligibility, petitioner submitted an application to the respondent no. 2- Chief Executive Officer, Zilla Parishad, Solapur on 14th March 2021 requesting to provide him an appointment on compassionate ground. Alongwith the application necessary documents were annexed. It was submitted before the authority that none of the family members of the petitioner are in employment and the other members submitted their consent for considering petitioner for compassionate appointment. It seems that respondent no.2-Chief Executive Officer, Zilla Parishad, Solapur had prepared a waiting list and the same was published on the website. The objections to the waiting list

were also called upon within a stipulated period. The petitioner on 10th May 2021 submitted an application/ representation to the Deputy Chief Executive, Zilla Parishad, Solapur reiterating his request for appointment on compassionate ground.

5. It is submitted that all the necessary documents are already supplied and the petitioner has complied with all the necessary criteria. It is also submitted that the family of petitioner is facing financial hardship and the petitioner has to look after his family. Learned counsel for petitioner submitted that though the petitioner made repeated requests for consideration of his application/ representation no heed was paid. Learned counsel for petitioner submitted that petitioner was orally informed that the application of petitioner cannot be considered as the father of petitioner had three children. The counsel for petitioner submitted that this was only an oral information and no written communication/order to that effect was communicated to the petitioner.

6. Considering these facts, we are of the opinion that the petition itself can be disposed of with the direction to respondent no.2 to consider the application/representation of petitioner presented to respondent no.2 Zilla

Parishad, Solapur i.e. an application submitted by petitioner on 10th May 2021 addressed to the Deputy Chief Executive Officer, Zilla Parishad, Solapur.

7. Respondent No. 2 to consider the application and pass appropriate orders as early as possible and not later than ten weeks from the date of receipt of the order of this Court.

8. We further make it very clear that this court has not expressed any opinion on the merits of the application or representation of the petitioner submitted to the Deputy Chief Executive Officer of the Zilla Parishad, Solapur.

9. With the above directions, writ petition is disposed.

10. Authenticated copy of this order be forwarded to the learned counsel for the petitioner.

(ABHAY AHUJA, J.)

(PRASANNA B. VARALE, J.)