

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
REVIEW APPLICATION NO. 21 OF 2017 IN
WRIT PETITION NO. 6007 OF 2015**

Shobhabai D/o Pandharinath Shinde

Applicant

Versus

Pradnya Niketan Shikshan Sanstha Degloor
& others

Respondents

Mr. S. S. Thombre, advocate for the review applicant.
Mrs. M. A. Deshpande, AGP for the Respondent Nos. 2 and 3.
Respondent No. 1 served.

**CORAM : C. V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.
DATE : 21 June, 2022.**

PC :

This is an application for review of the order dated 5 December, 2016 passed by this Court (Coram: S. V. Gangapurwala & K. L. Wadane, JJ) in Writ Petition No. 6007 of 2016.

2 We have heard learned Counsel for the applicant and the learned AGP. None appears for Respondent No.1, though served.

3 This application can be disposed of on short count as the order under review is based on Government Resolution dated 4 July 2009 which prescribes that 40 years is the maximum age limit for appointment on compassionate grounds.

4 The learned Counsel for the applicant points out that the subsequent Government Resolution dated 6 December 2010 was not brought to the notice of this Court. Incidentally, the 2010 Government Resolution prescribes the maximum age limit as 45 years.

5 The learned AGP also points out that in fact the authorities had recommended the appointment on compassionate ground and the challenge was at the instance of the Management i.e. Respondent No.1.

6 Be that as it may. In view of the fact that the order is based on the Government Resolution dated 4 July 2009 and inasmuch as the subsequent Government Resolution of 2010 was not brought to the notice of this Court, we find the application deserves to be allowed.

7 In the result, the order dated 5 December, 2016 is hereby recalled. Writ Petition No. 6007 of 2015 is restored back to the file.

SANDIPKUMAR C. MORE, J.

C. V. BHADANG, J.

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