

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

960 WRIT PETITION NO.2979 OF 2019

**MINA RATTAN AHIRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Kanade Angad L.
AGP for Respondent Nos. 1 & 2: Mr. S.B. Yawalkar
Advocate for Respondent Nos. 3 & 4 : Mr. V.S.Panpatte h/f Mr. Tele A.B.

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 22.09.2022.

PER COURT : (PER : SANDEEP V. MARNE, J.)

We have heard both the sides.

2. It is the case of the petitioner that his proposal for approval of compassionate appointment has been rejected by impugned communication dated 28.01.2019 relying on the provisions of the Government Resolution dated 12.02.2015 *inter alia* directing not to fill up the posts of non-teaching staff. Now, revised guidelines have been issued by the State Government by letter dated 14.09.2022 in pursuance of the judgment and order dated 11.08.2021 passed by this Court in Writ Petition No. 4219/2018 *inter alia* directing that since the post to be filled on the basis of compassionate appointment is already sanctioned, there is no requirement of fresh approval for the post. Accordingly, the case of the petitioner is required to be reconsidered.

4. We set aside the impugned communication dated 28.01.2019 and direct that the proposal for approval of compassionate appointment of the petitioner be reconsidered in the light of the instructions vide letter dated

14.09.2022 within a period of two months from today.

5. The Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE J.)

(MANGESH S. PATIL, J.)

mkd/-