

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

58 WRIT PETITION NO. 5333 OF 2021

SUSHMA GOVINDRAO MORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. V.S. Panpatte
AGP for Respondent No. 1 : Mr. S.G. Sangle
Advocate for Respondent Nos. 2 and 3 : Ms. Yogita S. Thorat

...

CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.

DATE : 25.04.2022

P.C. :

1. By this petition, the petitioner has put-forth prayer clauses "B" and "C" as under :-

"B] By a writ of mandamus or any other appropriate writ or direction in the like nature, the respondent Nos. 2 and 3 may kindly be directed to consider the claim of the petitioner for compassionate appointment within two months stipulated period and appoint the petitioner on compassionate ground;

C] Pending hearing and final disposal of this writ petition, the respondent nos. 2 and 3 may kindly be directed to provide compassionate employment to the petitioner temporarily, since there are so many vacant posts of Class-C and Class-D category under Zilla Parishad, Nanded.”

2. We have considered the submissions of the learned Advocate for the petitioner and the learned AGP.

3. The learned Advocate representing respondent Nos. 2 and 3 - Zilla Parishad has vehemently opposed this petition. She contends that the petitioner is the third child of the deceased employee.

4. We find that the representation made by the petitioner on 04-01-2021 is pending. By the said representation, she requests for considering her claim for being enlisted in the list of eligible candidates for compassionate appointment. The learned Advocate for the petitioner submits on instructions that if the said application is decided within two months, the petitioner would atleast realize as to what is her status.

Thereafter, she may take recourse to an available remedy as may be permissible in law.

5. In view of the above, this petition is disposed off.

6. We expect that respondent No. 2 would decide the request application of the petitioner dated 04-01-2021 on its own merits and preferably on or before 30-06-2022. A decision on the said application would be communicated to the petitioner, forthwith.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)

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