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

WRIT PETITION NO. 4771 OF 2022

Sandesh s/o. Suryabhan Wetal

....Petitioner

Versus

The State of Maharashtra and others

....Respondents

Mr. Tushar Shinde h/f. Mr. C.K. Shinde, Advocate for petitioner.

Mr. A.R. Kale, A.G.P. for respondent nos. 1 and 2.

**CORAM : DIPANKAR DATTA, C.J. &
RAVINDRA V. GHUGE, J.**

DATED : JULY 06, 2022.

PER COURT :

The petitioner has put forth prayer clauses 'B' and 'C' as under :-

B) By issue of writ of mandamus or any other appropriate writ, order or direction in the like nature, the respondent no. 2 – The Education Officer (Secondary), Zilla Parishad, Aurangabad may kindly be directed to grant approval to the appointment of the petitioner as Peon (Class IV) in the respondent no. 4 school on compassionate basis.

C) By issue of writ of mandamus or any other appropriate writ, order or direction in the like nature, the respondent no. 2 – The Education Officer (Secondary), Zilla Parishad, Aurangabad may kindly be directed to decide the pending proposal seeking approval to the appointment of the petitioner as Peon (Class IV) in the respondent no. 4 school on compassionate basis.

2. We have considered the submissions of the learned

advocate for the petitioner and the learned A.G.P. on behalf of respondent nos. 1 and 2. Since a statement is made that the proposal for seeking approval to the compassionate appointment of the petitioner with effect from 1.1.2020 is pending with respondent no. 2 and as respondent Nos. 3 and 4 have no role to play insofar as the grievance of the petitioner is concerned, we have not issued notice to respondent nos. 3 and 4.

4. The learned A.G.P. submits that the Education Officer will have to consider the law laid down by this Court in the case of **Yogita w/o Shivsing Nikam Vs. State of Maharashtra and others, 2022(2) Mh.L.J. 370** and pass an order on the pending proposal of the petitioner.

3. In view of the above, this petition is disposed of with a direction to respondent no. 2 to decide the pending proposal of the petitioner in accordance with law, as expeditiously as possible and preferably on or before 15.09.2022.

[RAVINDRA V. GHUGE, J.]

[CHIEF JUSTICE]