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

8 WRIT PETITION NO.5189 OF 2018

SURAJ RAJABHAU KARMUDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

....

Mr R. D. Biradar, Advocate for petitioner;
Mr S. G. Karlekar, A.G.P. for respondent Nos.1 to 3
Mr S. U. Shaikh, Advocate for respondent No.4
Mr Avinash Phad, Advocate h/f Mr P. B. Jadhav, Advocate for
respondent No.5

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 3rd October, 2022

PER COURT:

1. The petitioner's father, who was a permanent employee of respondent No.5 School since 12/06/2000, died on 27/05/2015. The widow made an application on 11/06/2015 and the reminders on 11/09/2015 and 30/07/2016.
2. It is stated across the bar that, the petitioner moved an application on 29/01/2018 for seeking compassionate appointment. The mother of the petitioner has given her consent for accommodating the petitioner. It is plainly admitted by the respondent / Institution and the Headmaster that, there are two

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factions in the Institution and on account of the internal squabbles, the petitioner has not been granted compassionate appointment.

3. We, therefore, direct respondent No.3 – Education Officer (Secondary), Zilla Parishad, Latur, to consider the records available and the application of the petitioner and taking into account, as to who is presently the In-charge Headmaster. The Education Officer would then direct the Headmaster, to issue an appointment order to the petitioner on compassionate basis, as a 'Peon', if a vacancy is available. If a vacancy is not available, the petitioner would be enlisted in the list of the eligible candidates and as and when his turn come, he would be appointed on compassionate basis.

4. With the above directions, this petition is disposed off.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

sjk