

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

WRIT PETITION NO.12478 OF 2021

**SONA SANJAY PANDIT
VERSUS
THE STATE OF MAHARASHTRA THR THE URBAN
DEVELOPMENT AND OTHERS**

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Advocate for the Petitioner : Shri T.S. Lodhe
AGP for Respondents 1 to 3 : Shri S.G. Sangle
Advocate for Respondent 4 : Shri R.D. Bhalerao h/f Shri S.S.
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**CORAM : RAVINDRA V. GHUGE
&
S.G. DIGE, JJ.**

DATE :- 28th April, 2022

Per Court :-

1. By this Writ Petition, the petitioner has put forth the claim for appointment in place of her mother-in-law, who has retired from service of respondent No.4/ Municipal Council.

2. It is wrongly stated in the prayer clause that the petitioner is claiming compassionate appointment. Her mother-in-law has simply retired and the petitioner seeks employment in her place as “Safai Kamgar” (Sweeper) on the basis of the Lad-Page Committee recommendations, which are popularly known as “Vashila/ Warsa Paddhat”.

3. The Government Resolution dated 10.11.2015 is placed before us which indicates under clause 1(A)(i) that the daughter-in-law can seek employment in place of the bread earner, parent-in-law.

4. The petitioner is married to the son of Mrs.Munnabai Pandit, who was the employee with respondent No.4 as a Sweeper. Details as regards the husband Sanjay Pandit are not set out in the petition. The petitioner simply submits that her husband is not interested in doing the work of a sweeper. She belongs to the Scheduled Caste category (Bhangi- Hindu Mehatar). Her application for seeking employment in place of her mother-in-law is dated 06.09.2012 and the same is still pending.

5. It is the prayer of the petitioner that her claim may be decided in the light of the Government Resolution dated 10.11.2015. It does not call for any debate that the first Government Resolution issued on the basis of the Lad-Page Committee recommendation is dated 20.06.1972, which is applicable even today.

6. In view of the above, this Writ Petition is disposed off.

7. We direct respondent No.4 to decide the application of the petitioner dated 06.09.2012 on its own merits by considering the Government Resolution dated 10.11.2015. If she is eligible, she be enlisted in the list of eligible candidates and as and when the vacancy arises, she could be offered the same strictly as per the seniority list/ wait list of eligible candidates falling within the Lad-Page Committee recommendations.

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(S.G. DIGE, J.)

(RAVINDRA V. GHUGE, J.)