

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

WRIT PETITION NO.9162 OF 2022

**SHUBHAM MASAJI GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND OTHERS**

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Advocate for the Petitioner : Shri Khade Kishor D.
AGP for the Respondents/State : Shri S.K. Tambe

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

DATE :- 14th September, 2022

Per Court :-

1. The father of the petitioner died on 16.04.2021 due to Covid-19 infection. The petitioner was appointed on compassionate basis on 15.06.2021. The Education Officer (Secondary), Beed, Shri Vikram Sarukh refused the approval vide order dated 26.07.2022.

2. The learned AGP submits, on instructions received from Shri U.V.Puri, Court Coordinator in the office of the Deputy Director of Education, Aurangabad, present in the Court, that the new Education Officer (Secondary), Zilla Parishad, Beed, would reconsider the earlier decision and would arrive at a fresh

decision in the light of the judgment delivered by this Court in *Yogita Shivsing Nikam vs. State of Maharashtra and others, 2022 (2) Mh.L.J. 370.*

3. In view of the above, this Writ Petition is partly allowed.

4. The impugned order dated 26.07.2022 stands set aside. Respondent No.4 shall reconsider the proposal forwarded by the Management for grant of approval to the compassionate appointment of the petitioner in the light of the judgment delivered in *Yogita Nikam (supra)*, on or before 30.09.2022.

kps

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)