

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

31 WRIT PETITION NO.548 OF 2022

BEBISAROJA LATE MAHESHWAR KUNTE ALIAS
BEBISAROJA PRABHAKAR UPPE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr S.K. Mathpati
AGP for Respondent No. 1/State : Mr S.B. Yawalkar
Advocate for Respondent Nos. 2 to 4 : Mr D.S. Bagul

**CORAM : S.V. GANGAPURWALA AND
SHRIKANT D. KULKARNI, J.J.**

DATE : 17th JANUARY, 2022

PER COURT :

1. The learned counsel for the petitioner submits that the husband of the petitioner was working as a driver with respondent Nos.2 to 4.
2. The petitioner has filed an application for appointment on compassionate ground with respondent No.3. The respondent No.3 has forwarded the same to respondent No. 4 (page No.57). The learned counsel further submits that the husband of the petitioner was selected by respondent Nos. 6 and 7 as an Assistant Teacher. However, there was some mistake in the order of appointment and the same was pending with the Committee. The petitioner be given compassionate appointment with respondent Nos. 6 and 7.
3. It is not disputed that the husband of the petitioner never joined the services of respondent Nos. 6 and 7 though was selected. Unless the

husband of the petitioner joins the service with respondent Nos. 6 and 7, it cannot be said that the husband of the petitioner died while in service of respondent Nos. 6 and 7.

4. In view of that, the said request of the petitioner cannot be considered.

5. The petitioner is already placed in the wait list by respondent No. 4. In view of that, the petitioner may prosecute the claim with respondent No. 4.

6. The writ petition is disposed of. No costs.

[SHRIKANT D. KULKARNI, J.]

[S.V. GANGAPURWALA, J.]

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