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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 12461 OF 2022

Akshay Rajendra Sawant

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. N. V. Bandiwadekar i/by Ms. Ashwini N. Bandiwadekar for the
Petitioner.

Mr. K. S. Thorat, AGP for the State.

**CORAM: S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATE : 20th OCTOBER, 2022

P.C. :-

1. The proposal seeking approval to the appointment of the
petitioner as a Shikshan Sevak is rejected.

2. We have heard the learned AGP.

3. The ground mentioned in the order not does stand to reason.
Only because the father of the petitioner died prior to 31st December,
2011, it cannot be said that the appointment on compassionate ground
cannot be made.

4. The Education Officer has to consider, whether the petitioner
was qualified for appointment on the compassionate ground, the
availability of the post, the roster. It could not have rejected on the
ground that the proposal is not submitted on time and/or the father of
the petitioner died prior to 31st December, 2011.

5. The impugned order is set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner afresh, on its own merits. The decision shall be taken preferably within six months.
6. Writ Petitions accordingly disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]