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Uday S. Jagtap

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

WRIT PETITION NO. 13257 OF 2022

Ranjit S/o Balasaheb Jadhav

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

.....

Mr. Sambhaji S. Tupe for the petitioner

Mrs. M.P. Thakur, AGP for the respondent – State

.....

**CORAM : S.V. GANGAPURWALA &
S.G. DIGE, JJ.**

DATED : 18th NOVEMBER, 2022.

P.C.

1. The proposal seeking approval to the appointment of the petitioner as Peon on compassionate ground is rejected. The said proposal is rejected on the basis of the Government Resolution dated 12th February 2015. The petitioner seems to have been appointed in the year 2012. The proposal could not have been rejected on the basis of the subsequent Government Resolution. The Education Officer is required to consider the rules, executive instructions and the policy as applicable on the date on which the petitioner is appointed.

2. In light of that, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal for the appointment of the petitioner, on the basis of the executive instructions and rules prevailing as on the date on which the petitioner was appointed on compassionate ground. The said proposal shall be decided afresh, preferably within six months.

3. Writ Petition is disposed of. No costs.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)