

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2484/2021

(PRIYANKA VIJAY BHAGAT **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri O.R. Deshpande, counsel for the petitioner.
Shri N.R. Patil, Assistant Government Pleader for the R-1 & 2.
Shri Kalyan Chiwarkar with Shri Anand Parchure, counsel for the R-3 & 4.
Ms S.S. Dashputre, counsel for the R-5.

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, JJ.

DATE : MARCH 31, 2022.

The petitioner's father was employed with the respondent no.4-Junior College as an Assistant Teacher. During the course of service, he expired on 22.04.2002. Initially, the petitioner's mother sought appointment on compassionate ground and subsequently the petitioner on attaining the age of majority sought such appointment. In the meanwhile, the respondent no.5 came to be appointed on compassionate basis. Since the petitioner was of the view that the claim of the respondent no.5 ought not to be considered before the claim of the petitioner, the present writ petition was filed seeking relief of appointment on compassionate basis.

After notice was issued in the writ petition, the Education Officer (Secondary) issued a communication on 04.03.2022 directing the respondent nos.3 and 4 to consider appointing the petitioner on compassionate basis since she was eligible to hold the post of Assistant Teacher. Pursuant thereto the Management on 15.03.2022 has issued an order of appointment to the petitioner on compassionate basis. The petitioner thereafter has joined her duties on 23.03.2022. The order of appointment has been made subject to grant of approval by the Education Officer (Secondary).

In view of aforesaid, the purpose of filing the present writ petition stands served. It is accordingly disposed of.

The Education Officer (Secondary) is free to consider the proposal for grant of appointment to the petitioner and the respondent no.5 in accordance with law.

Order accordingly. No costs.

(SMT. M.S. JAWALKAR, J.)

(A. S. CHANDURKAR, J.)

APTE