

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

114 CONTEMPT PETITION NO. 242 OF 2019  
IN CP/594/2017

MANGESH S/O SAMBHAJIRAO NIKAM  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

.....

Advocate for Petitioner : Mr. Pravin V. Suryawanshi  
AGP for Respondent-State : Mr. M. M. Nerlikar  
Advocate for Respondent No.5 : Mr. P. K. Nikam

.....

**CORAM : MANGESH S. PATIL AND  
ABHAY S. WAGHWASE, JJ.**

**DATED : 10 APRIL 2023**

**PER COURT :-**

1. The petitioner has been seeking appointment on compassionate ground. This Court had directed the respondent management to appoint him, but for non-compliance of which, he is before us alleging intentional and deliberate disobedience.

2. Learned Advocate for the respondent, who is the President of respondent no.5 trust, adverts our attention to para 17 of the affidavit-in-reply wherein *inter alia* he has expressly stated that petitioner would be considered for appointment to the post of Laboratory Assistant, on the post which is vacant but stands duly

sanctioned for the academic year 2021-2022 in class-III category.

3. Learned Advocate for the petitioner submits that the petitioner is ready for such appointment.

4. The learned Advocate for respondent no.5, on instructions, submits that necessary formalities would be completed and the petitioner would be appointed as expeditiously as possible and in any event on or before 05.05.2023.

5. We accept the statement in the affidavit-in-reply as an undertaking to the court in the above circumstances and dispose of the petition.

**[ABHAY S. WAGHWASE, J.]**

**[MANGESH S. PATIL, J.]**