

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

2 WRIT PETITION NO.11418 OF 2023

Nitin s/o Jagannath Patil

...Petitioner

Versus

The State of Maharashtra and Others ...Respondents

....

Advocate for Petitioner : Mr. V. B. Anjanwatikar

AGP for Respondents-State : Mr. A. R. Kale

...

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ.
& ARUN R. PEDNEKER, J.**

DATE : 14th SEPTEMBER, 2023.

P.C. :

1. Heard the learned Advocate for the petitioner and the learned AGP representing the respondents No.1, 2 and 3.

2. In view of the proposed order requirement of issuance of notice for the appearance of respondents No.4 and 5 is hereby dispensed. By instituting this proceeding, the petitioner, who is the son of a deceased employee who was working with respondent No.5 on the post of a Lab

Assistant seeks a direction for deciding his representation dated 23/06/2017 whereby he has prayed that he may be appointed on compassionate ground.

3. Drawing our attention to the Government Resolution dated 31/12/2002, the learned Counsel representing the petitioner has argued that under the said Government Resolution the petitioner has a right to be considered for appointment on compassionate ground as his father had died during the service period and the said Government Resolution is applicable in respect of the dependents of employees working in government aided institutions as well.

4. So far as the applicability of the Government Resolution dated 31/12/2002 is concerned, the learned AGP does not dispute that it is applicable even in respect of government aided institutions.

5. Resultantly, the writ petition is allowed and a direction is issued to the respondents No.4 and 5 to consider and decide the prayer of the petitioner for his appointment

on compassionate ground in view of the provisions contained in the Government Resolution dated 31/12/2002 and also taking into account the extent policy / rules. Decision under this order shall be taken within a period of ten (10) weeks from the date of receipt of certified copy of this order by the authority concerned.

(ARUN R. PEDNEKER, J.)

(CHIEF JUSTICE)

vjg/-