

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

WRIT PETITION NO.4980 of 2023

Vinita wd/o Prashant Nile

vs.

State of Maharashtra, through its Secretary, Department of Higher and Technical Education,
Mumbai and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. V. Pandey, Advocate for petitioner.

Shri A.S.Fulzele, Additional Government Pleader for respondent nos. 1 to 3.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 8th AUGUST, 2023

Leave granted to correct the description of the respondent No.3.
The corrections be carried out forthwith.

2. Considering the limited issue, the service on respondent no.4 is
dispensed with.

Rule. The learned Additional Government Pleader waives
service for the respondent nos. 1 to 3.

3. The husband of the petitioner was employed as Peon with the
respondent No.4-College. He died in harness on 21.04.2019. The
petitioner who is widow sought appointment on compassionate
ground. Pursuant to the application made and response received from
the College, the Joint Director of Higher Education, Nagpur, on
29.01.2021 issued a communication to the Director of Education, Pune
submitting all relevant documents and seeking guidance in respect of
appointment of the petitioner on compassionate ground. This was
followed by another communication dated 03.08.2021 again issued by
the Joint Director of Higher Education, Nagpur. The grievance of the
petitioner is that till date no action thereon has been taken.

4. In these facts, the following order would meet the ends of justice:

(i) The respondent no.2-The Director of Education, Pune, shall consider the communications dated 29.01.2021 and 03.08.2021 issued by the Joint Director of Higher Education, Nagpur and take a decision thereon. Necessary steps be taken within a period of four weeks of receiving copy of this order. Decision taken be communicated to the petitioner as well as the respondent no.4.

(ii) In case the petitioner is not satisfied with the response of the respondent no.2, she is free to take appropriate steps in accordance with law.

(iii) Rule stands disposed of in aforesaid terms. No costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.