



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

WRIT PETITION NO.1933/2022

Kavita wd/o Bhaskar Dhongde Vs. State of Maharashtra and others

...
Mr. I.G.Meshram, Advocate for petitioner.
Ms. Tajwar Khan, AGP for respondent nos.1 to 4.
...

CORAM : BHARATI DANGRE & ABHAY J. MANTRI, JJ.
DATE : OCTOBER 07, 2024.

P.C.:

1. In the wake of decision of the Full Bench of this Court in case of ***Kalpana wd/o Vilas Taram and another Vs. The State of Maharashtra and others and connected petitions*** dated 28.5.2024, we arrive at a conclusion that the petitioner deserve relief sought in the petition, by setting aside the impugned communication dated 31.12.2021 addressed to the District Water Conservation Officer, Gondia.

The petitioner seeks substitution of the name of her daughter, who has attained majority and we find substance in the argument of Ms. Khan, learned AGP to the effect that there cannot be a direction for appointment on compassionate ground and, hence, we direct the respondent-authorities to consider the claim of the daughter of he petitioner, for being appointed on compassionate ground in place of Bhaskar Waman Dhongde, her father, who was in the employment of the respondent no.3.

2. While we set aside the communication dated 31.12.2021 issued by the Regional Water Conservation Officer, Nagpur, we direct inclusion of the

name of "Pooja Bhaskar Dhongde" the daughter of the petitioner in the waiting list maintained by the respondent no.2 for being appointed on compassionate ground, as she has attained majority.

The rectification of the list shall be carried out within four weeks from today. Upon necessary amendment being carried out in the waiting list, we direct the respondent no.2 to take a decision on the claim of the substituted entry in the list expeditiously and convey the decision as regards the consideration of her candidature within a period of eight weeks thereafter.

3. The petition stands disposed off accordingly.

(ABHAY J. MANTRI, J.)

(BHARATI DANGRE, J.)