



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

WRIT PETITION NO. 3990 of 2024

Smt. Mangala wd/o Devdas Sangode and another

versus

Zilla Parishad, Gondia, through its Chief Executive Officer and another

.....
Mr. J. K. Matale, Advocate for petitioners.

Mr. Anant Dixit, Advocate for respondent nos. 1 and 2.

CORAM :- NITIN W. SAMBRE AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 23rd OCTOBER, 2024.

P. C.

We have heard Mr. Matale, learned counsel appearing for the petitioner.

2. The prayer in the petition is for issuance of directions to the respondent -Zilla Parishad to include the name of the petitioner no.2 in the list of the candidates who are entitled for the compassionate appointment.

3. The petitioner no.1, widow of deceased Devidas, sought compassionate appointment, however having crossed the requisite age has incurred disqualification which has prompted her to seek substitution of candidature of the petitioner no.2 for compassionate appointment, being the son.

4. It appears that the name of the petitioner no.2 was originally included in the list, however the same was removed and as such, the petitioner no.2 held to be disqualified from the zone of consideration for the compassionate appointment.

5. Our attention is invited to the decision of the Full Bench of this Court in the matter of *Kalpana Vikas Taram and another vs. State of Maharashtra (Writ Petition No.3701/2022)* with connected writ petitions, decided on 28.05.2024. It is claimed that in view of the law laid down by the Full Bench in the aforesaid decision, the substitution of the petitioner no.2 for compassionate appointment can be said to be permissible.

6. In this background, we permit the petitioner no.2 to appear before the respondent no.1-Chief Executive officer, Zilla Paraishad, Gondia, on **11.11.2024 at 11.00 a.m.**

7. The respondent no.1 shall hear the petitioner no.2 in the light of the aforesaid observations and having regard to the law laid down by the Full Bench in the case of *Kalpana Vilas Taram* (supra), pass a reasoned order and communicate the same to the petitioners by **30.11.2024**.

8. With these directions, the writ petition stands disposed of. No costs.

(VRUSHALI V. JOSHI, J.)

(NITIN W. SAMBRE, J.)

Andurkar.