



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

WRIT PETITION NO. 4436 OF 2024

(Smt. Savita wd/o Chagan Randhaye and another vs. State of Maharashtra and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Ms.Ayushi Dangre, Advocate for the petitioners.
Mr.H.R.Dhumale, Assistant Government Pleader for the
respondent No1.

CORAM : NITIN W. SAMBRE AND ABHAY J. MANTRI, JJ.

DATE : AUGUST 01, 2024

Heard learned Counsel for the parties.

2) The husband of the petitioner No.1 expired on 01/05/2016 while he was working as "Gram Sevak".

3) As a sequel of above, the petitioner No.1 – widow sought appointment on compassionate ground and accordingly her name appeared on the wait-list.

4) In view of petitioner No.1 having attained the age of 45 years, the petitioner No.2 daughter sought substitution of candidature, which is rejected, vide impugned order dated 06/11/2023.

5) Ms.Dangre, learned Counsel for the petitioner submits that in view of the judgment of the Full Bench of this Court in the matter of **Kalpana wd/o Vilas Taram and another vs. State of Maharashtra and others in Writ Petition No.3701/2022 and other connected petitions decided on 28/05/2024**, the candidature of the petitioner No.2 can be very much substituted in place of petitioner No.1 and there cannot be any legal impediment in the same.

6) Mr.Dhumale, learned Assistant Government Pleader for the respondent No.1, submits that the Court may pass appropriate order in the matter.

7) Since the order to be passed is innocuous, we dispense with the service of notice to respondent Nos.2 and 3.

8) We dispose of the petition by directing the respondent No.2, before whom the petitioners are permitted to appear on 12/08/2024, to consider the prayer for grant of substitution of the candidature of petitioner No.2 in place of petitioner No.1 in the light of the Full Bench judgment of this Court.

9) Let the order be passed within a period of four weeks from the date of appearance of the petitioners before the said Authority. In case the substitution is allowed, the claim of the petitioner No.2 be considered having regard to the date on which the claim of the petitioner No.1 was registered for grant of compassionate appointment and in case the order passed is adverse, the petitioners are at liberty to approach this Court afresh.

10) Needless to clarify that the respondent No.2 shall be sensitive to the Full Bench judgment of this Court in the matter of ***Kalpana Taram*** (cited supra).

(**ABHAY J. MANTRI, J.)**

(**NITIN W. SAMBRE, J.)**