



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4096 OF 2025

Shaikh Tosifuddin Shaikh Riyazuddin

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

- Mr. A. J. Patil, for Petitioner.
- Mr. S. K. Tambe, AGP for Respondent Nos.1 to 3.

CORAM : MANISH PITALE AND
Y. G. KHOBRAGADE, JJ.

DATE : 07th JULY 2025.

P. C. :

1. Heard learned counsel for the petitioner.
2. Although this petition is coming up for consideration for the first time, since we have gone through the papers, we called upon the learned counsel appearing for the petitioner to demonstrate as to why the order dated 10th October 2024, passed by the respondent – Education Officer rejecting the proposal for approval of appointment on compassionate ground of the petitioner needs to be interfered with. The learned counsel for the petitioner submits that the reasons recorded in the said impugned order are not sustainable.
3. A perusal of the impugned order shows that the ground on which the proposal is rejected is that, according to the policy manifested in Government Resolution dated 22nd August 2005, only

those persons whose relative or predecessor dies during service would be entitled to appointment on compassionate basis.

4. In the present case, it is an admitted position that the father of the petitioner retired on 20th July 2011, and later he died due to cancer on 05th August 2015. Therefore, on the date of his death he was not in service and the policy of the State, reflected in the aforesaid Government Resolution dated 22nd August 2005, does not cover the case of the petitioner.

5. The impugned order specifically refers to the said Government Resolution and thereupon rejects the proposal concerning the petitioner. The learned AGP informs this Court that the aforesaid policy of the State is reiterated in the subsequent Government Resolution dated 21st September 2017.

6. We find no reason to entertain the present petition, as the impugned order correctly applies the stated policy of the Government in such matters.

7. The writ petition is dismissed.

8. Pending applications, if any, also stand disposed of.

(Y. G. KHOBRAGADE, J.)

(MANISH PITALE, J.)