



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1309 OF 2025

GANESH MADHUKAR PANKHADE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. Avishkar S. Shelke
AGP for Respondent No. 1 : Mr. A. V. Lavte
Advocate for Respondent Nos. 2 and 3 : Mr. V. C. Patil
h/f. Mr. U. B. Bondar

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 04.02.2025

PER COURT :

. Heard learned advocate for the petitioner, the learned AGP and the learned advocate Mr. V. C. Patil h/f. Mr. U. B. Bondar for respondent Nos. 2 and 3.

2. Petitioner is challenging the order of respondent Nos. 2 and 3 (**Exhibit-'H'**) dated 17.12.2024, wherein his request for appointment on compassionate ground has been rejected on the ground that his father was serving under the scheme and was being paid the wages from the self generated income of the Zilla Parishad. It has also been mentioned that in the light of the Government

Resolution, the scheme of appointment on compassionate ground was not available to such employees.

3. The issue is no more eccentric in catena of orders of this Court from time to time, the same stand of the concerned Zilla Parishad have been met with a direction to consider request for compassionate appointment, irrespective of whether the deceased was being paid salary from the self-generated income. Such previous matters have been dealt with and culled down in the matter of ***Amol Sahebrao Suryawanshi versus the State of Maharashtra and others; (2022)***, to which Mangesh S. Patil, J., was member of the division bench.

4. In the light of the above, the Writ Petition is allowed, the impugned communication is quashed and set aside. Respondent Nos. 2 and 3 shall consider the petitioner's request on its own merits and the decision shall be taken as expeditiously as possible and in any case within five (05) weeks.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/