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987-WP-5738-2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

987 WRIT PETITION NO. 5738 OF 2023

Sumit Sanjay Holkar

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Mr. Gautam Jaywant Karne, Advocate for the Petitioner.

Mr. K. K. Naik, AGP for Respondent-State.

Mr. A. N. Nagargoje, Advocate for Respondent Nos. 4 and 5.

CORAM : KISHORE C. SANT &
ABASAHEB D. SHINDE, JJ.

DATE : 9th DECEMBER 2025.

PC :-

1. Heard learned Advocates for the respective parties.
2. The petitioner, by way of this writ petition, is seeking direction to the respondents to consider his claim for compassionate appointment. The petitioner lost his father on 7th August 2022 while working with Respondent Nos. 4 and 5. His mother therefore made an application seeking appointment to the petitioner on compassionate ground.

3. It is the case of the petitioner that, in fact, he also had filed an application immediately on 17th September 2022 with the Head-Master. However, the Head-Master refused to give endorsement of receipt. There is an averment to that effect in paragraph No.10 of the petition. It is his case that though he filed an application within time, till now no action is taken on his application. He thus prays for direction to Respondent Nos. 4 and 5 to give him an appointment on compassionate ground on any suitable post.

4. It is the stand of Respondent Nos. 4 and 5 that there is no post vacant in the Management. It is for this reason, no appointment could be given to the petitioner. The objection is also raised stating that the application is not filed within a period as required under the scheme. It is further submitted in the affidavit that the proposal is already forwarded to the Education Officer (Secondary), Zilla Parishad, Latur (Respondent No.3).

5. Be that as it may, this Court finds that the petitioner had filed an application on 7th September 2022 i.e. within one month of death of his

father on 7th August 2022. In view of the affidavit, it is also seen that the proposal is already forwarded to the Respondent No.3. We therefore consider it appropriate to direct Respondent No.3 to take further action in accordance with law and consider the proposal.

6. With this direction, writ petition stands disposed off.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]

D.A.Ethape