



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.7169 OF 2024

Abhijeet s/o Balaji Shendge ... **PETITIONER**

VERSUS

The State of Maharashtra & ors. ... **RESPONDENTS**

.....
Mr. S.R. Kolhare, Advocate for petitioner
Mrs. K.B. Patil Bharaswadkar, A.G.P. for State
Mr. D.S. Mali, Advocate for R.No.4 and 5
.....

**CORAM : R.G. AVACHAT AND
ABASAHEB D. SHINDE, JJ.**

DATE : 4th SEPTEMBER, 2025

ORDER :

Heard. The father of the petitioner was serving as Full Time Teacher. He died in harness on 10/4/2023. The petitioner moved an application on 8/11/2023 for grant of appointment on the post of a Clerk on compassionate ground. It appears that, the management forwarded the petitioner's application to the Education Officer. It appears that, some enquiry was made to find whether the petitioner really holds a

degree in Arts stream. The concerned University informed the Education Department the degree certificate relied on by the petitioner was not matching or corresponding with the certificate in their record.

2. Be that as it may. The petitioner has now come around to accept any position, even that of a Class IV employee on compassionate ground.

3. Learned Advocate for the respondent management informs that, there is no vacancy in Class IV and Class III category as well. Learned Advocate for the petitioner now comes around that the petitioner would make a fresh application for grant of appointment on compassionate ground in Class III or Class IV category. We, therefore, dispose of the Writ Petition in terms of the following order :

ORDER

- (i) If the petitioner makes an application for appointment on compassionate ground, as has been suggested by learned Advocate for the petitioner, the respondent

management shall forthwith forward the same to the Education Officer.

- (ii) The Education Officer shall decide the same on its own merits and if the petitioner is found to be eligible, include his name in the wait list of eligible candidates for appointment on compassionate ground.
- (iii) The authorities concerned shall not turn down the petitioner's application on the ground of delay, since his earlier application has in fact been filed within a period of 12 months from the date of death of the father of the petitioner.

(ABASAHEB D. SHINDE, J.)

(R.G. AVACHAT, J.)

FMPathan/-