



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

24 WRIT PETITION NO. 7857 OF 2015

MANGAL ABHIMAN RAUT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

Advocate for the Petitioner : Mr. Bhosale Sanjaykumar B.
AGP for Respondents/State : Ms. V.N. Patil Jadhav
Advocate for R/2 to 5 : Mr. S.B. Ghute

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CORAM : MANGESH S. PATIL &
Y.G. KHOBRAGADE, JJ.

DATE : 22.04.2025

PC. :-

1. Heard the learned advocate for the petitioner and the learned advocate Mr. Gute for the respondent nos.2 to 5.
2. The petitioner is aggrieved by the impugned communication (Exh.F) dated 12.01.2015, whereby respondent no.2 has rejected her application seeking appointment on compassionate ground only on the ground that her deceased husband was appointed under the Maaruf agreement in terms of government resolution dated 26.10.1994.
3. After hearing both the parties, it appears that they are *ad idem* as regards the right of dependent of the deceased employee, who was

working under the Maaruf agreement, to seek appointment on compassionate ground.

4. For that matter, even pursuant to one such order passed in writ petition no.5286/2011 a dependent of an employee who was similarly appointed under the Maaruf agreement was granted appointment on compassionate ground by the order dated 16.12.2011 by the same Zilla Parishad.

5. In the light of above, the writ petition is allowed. The impugned order / communication is quashed and set aside. Respondent no.2 is directed to consider the application of petitioner no.2 seeking compassionate appointment afresh on its own merits, without resorting to the reasons mentioned in the impugned communication. The decision shall be taken and an appropriate order shall be passed as expeditiously as possible and in any case within four weeks.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]