



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

930 WRIT PETITION NO. 14417 OF 2019

Govardhan Sharad Hase

VERSUS

The State Of Maharashtra And Another

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Mr. V. D. Sapkal, Senior Advocate a/w. Ms. Priyanka Kale, Advocate for
the Petitioner

Ms. R. P. Gour, AGP for Respondents/State

Mr. Pratik P. Kothari, Advocate for Respondent No.2

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**CORAM : KISHORE C. SANT AND
ABASAHEB D. SHINDE, JJ.**

DATED : NOVEMBER 27, 2025

P.C.:

1. Heard the learned Advocate for respective parties. The matter is
taken forthwith for final disposal by consent of the parties.

2. The case of the petitioner is that he lost his father when he was
minor. At that time his mother alone was eligible to apply for
compassionate appointment. However, she could not be given an
appointment till the petitioner became major. After attaining the age of
majority, the petitioner filed an application and prayed that he should
be substituted in place of his mother and be placed in the waiting list.
The said application is rejected by the authorities stating that there is
no provision in the scheme to substitute any other heir from the family
relying on the Government Resolution dated 20.05.2015.

3. It is pointed out that a full bench of this Court at Nagpur in a batch of Writ Petitions along with Writ Petition No.3701 of 2022 has already taken a view and struck down Clause-5 of the said Government Resolution. This Court find that thus, the position is very clear that the name of any other heir can be substituted in place of applicant who has first applied for compassionate appointment. The question is only about the placement of the name of the person to be substituted. This Court thus find that the petition deserves to be allowed and the same is hereby allowed.

4. The impugned communication dated 10.09.2018 is quashed and set aside.

5. The petitioner's name be substituted in place of his mother, however, the seniority in the waiting list shall be counted from the date on which the petitioner made an application for compassionate appointment.

6. With this, the petition stands disposed of.

[ABASAHEB D. SHINDE, J.]

[KISHORE C. SANT, J.]