

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 272 OF 2025

Rohit Rajesh Kumbhar. ... Petitioner.
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Prashant Bhavake, for the Petitioner.
Ms. P.N. Diwan, AGP for Respondent/State.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 5th MARCH, 2025

P.C. :

1. The Petitioner's father who was a permanent employee of Respondent No. 6 Management, on fully aided full time post of Laboratory Assistant with Respondent No. 7 Secondary School, passed away on 16.8.2009. The widow moved an application for compassionate appointment on 26.8.2009. The proposal was kept pending by the Management.

2. The Petitioner, son of the deceased employee, attained 18 years of age on 6.4.2013. The widow moved an application on 28.9.2013 praying for either granting her compassionate appointment or

substituting her name with her son, the Petitioner herein. After a long delay, Respondent No. 6 Educational Institution forwarded a proposal dated 24.1.2025 after the Petitioner agreed to take up the compassionate appointment on the post of a peon by keeping open his claim to be recruited on the post of Laboratory Assistant or Junior Clerk, considering his qualifications.

3. Though late, the Management has forwarded the proposal by appointing the Petitioner on Class 4 post with the monthly stipend of Rs. 8,000/-, for a period of 3 years.

4. In view of the above, we find that the Petitioner has suffered enough and his sufferings need to be neutralized. The Education Officer is merely taking time to grant approval to his appointment. The question is, how long the Petitioner be at the mercy of the Education Officer.

5. In view of the above and taking into account the fact that the appointment of the Petitioner is legitimately made on compassionate basis, **this Petition is disposed off** with a direction that the service of the Petitioner shall stand approved. The Education Officer shall issue a formal order of granting approval within 7 days from today, with

caution to the said Education officer namely, Shri Rajesaheb Londhe, that henceforth if we come across such instances, we would not hesitate in recommending to the Government disciplinary action against him.

6. Needless to state, considering the qualifications of the Petitioner, if a post on which he is qualified to be appointed, becomes vacant, the Management would be granting him preference based on the serial number in the list of eligible candidates for compassionate appointment.

7. Needless to state that the Deputy Director shall grant of Shalarth I.D. to the Petitioner in order to facilitate regular payment of salary, expeditiously.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)