

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

WRIT PETITION NO. 11346 OF 2025

Amitkumar Satyavan Londhe & Ors. ... Petitioners
Versus
State of Maharashtra Thr.
Secretary & Ors. ... Respondents

Mr. Rahul Shinde, Advocate for the Petitioners.
Ms. Reena Salunkhe, AGP for Respondent Nos. 1, 2 & 4.
Mr. Ravindra Pachundkar, Advocate for Respondent No.3.

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

DATE : 24th SEPTEMBER, 2025

P.C. :

1. **Rule.** Rule is made returnable forthwith and the matter is heard finally, with the consent of the parties.

2. The learned Advocate for the Petitioners is under instructions to delete the names of Petitioner No. 3 Mr. Ganesh Popat More and Petitioner No.4 Mr. Bhaskar Devidas Thombre. The deletion to be carried out forthwith.

3. This matter was heard yesterday i.e. on 23rd September, 2025. An overnight passover was granted to the learned Advocate

representing the Zilla Parishad, Pune.

4. After considering the submissions of the learned Advocates for the appearing parties and on perusing the Petition paper-book, it is apparent that the State Government has issued a GR dated 23/08/1996 with reference to appointments to be made on compassionate basis, with the purpose that it should be mentioned in the appointment orders of such compassionate appointees that, if they are appointed on a post lower than the post occupied by the deceased employee, they would be further appointed in the same class, to which the deceased employee belonged. In short, the State Government desired that this fact should be mentioned as a condition in the appointment order in the interest of those Compassionate Appointees, who are appointed on a lower cadre or in a lower class than the class to which the deceased employee / parent belonged. By this Petition, the Petitioners point out that this condition was not mentioned in their appointment orders.

5. The learned Advocate for the Zilla Parishad as well as learned AGP submit that they would not argue against the policy of the State Government. For, the decision of the State Government is binding.

6. In view of the above, **this Petition is allowed** with the following directions :-

- (a) In the appointment order of each of these Petitioners, by which they were taken into compassionate appointment, clause 4 of the GR dated 23/08/1996, shall be added. The corrected appointment orders be issued to all of them within a period of 15 days from today.
- (b) In pursuance of the above, if any post in the class to which the deceased parent of these Petitioners was working, is vacant and available, the said post would be first offered to the eligible Petitioners. Wherever such a post is vacant, such remedial order of appointment in terms of these directions shall be initiated within 30 days.

7. Rule is made absolute in the above terms.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)