



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7179 OF 2024

Anshul Shankar Nagmote

..vs..

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.M. Vaishnav, advocate for the petitioner.
Shri Thakare, Assistant Government Pleader for the State.

CORAM: SMT.M.S. JAWALKAR AND PRAVIN S. PATIL, JJ.
DATED : 01/07/2025.

Heard. **RULE.** Rule is made returnable forthwith and heard finally, with the consent of the learned counsel for the parties.

2. By this petition, the petitioner is assailing the Government Resolution dated 28.03.2001 issued by the State of Maharashtra, as by relying on the same respondent no.2 Zilla Parishad rejected the claim of the petitioner's appointment on compassionate ground.

3. It is fairly pointed by the petitioner that the said Government Resolution has already been challenged before this Court in another Writ Petition No.4906/2024, wherein this Court after considering the entire factual and legal position, held that Clause (E) of the said Resolution dated 28.03.2001 is valid, and therefore, the issue involved in the matter is no more *res-integra*.

4. Learned Assistant Government Pleader appearing for the State has also placed reliance on the various judgments of this Court i.e. in ***Writ Petition***

No.19203/2024 (The State of Maharashtra and ors. vs. Shri Tanmay Sunil Gite) and Writ Petition No.10765/2022 (Shri Sagar s/o Sunil Savale vs. The State of Maharashtra and ors.), wherein considering the Government Resolution dated 28.03.2001, it is held that employee having third child is not entitle for compassionate appointment.

5. As such, it is clear that the issue raised by the petitioner has already been decided by this Court. According to the Government Resolution, the rule is very specific about the compassionate appointment. Therefore, we are of the opinion that the petitioner is not entitled for compassionate appointment and the impugned communication/order is legal and proper. Hence, the relief claimed by the petitioner, cannot be granted. Accordingly, the writ petition stands dismissed.

6. Rule is discharged. No costs.

(PRAVIN S. PATIL, J.)

(SMT. M.S. JAWALKAR, J.)

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