



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

939 WRIT PETITION NO. 350 OF 2025

TOUFIK YUSUF PATEL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND ANOTHER

...

Advocate for the Petitioner : Mr. T.M.Venjane

AGP for Respondent/State : Mr. A.V. Lavte

Advocate for Respondent no.2 : Ms. Sheetal Salnke

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CORAM : NITIN B. SURYAWANSHI AND

VAISHALI PATIL-JADHAV, JJ.

DATED : 28th APRIL, 2026.

ORDER :

1. By this petition, the petitioner challenges the order dated 06.12.2024, thereby denying compassionate appointment to the petitioner on the ground that his father was working under MAARUF agreement.

2. The said issue is no more *res-integra* in view of the decision of this Court in Writ Petition No.7563/2014, in which by relying on Division Bench Judgment of this Court in Writ Petition No.5501/2008, it was held that the Zilla Parishad is not justified in denying the compassionate appointment to heirs of persons appointed under MAARUF Agreement. It is also observed in the said judgment that the judgment in Writ Petition No. 5501/2008 on which reliance is placed, was confirmed by the Apex Court.

3. In view of the above, the impugned order cannot sustain and the same is hereby quashed and set aside.

Respondent no.2 is directed to consider the case of the petitioner for appointment on compassionate ground as per seniority.

4. Writ Petition is accordingly disposed of.

(VAISHALI PATIL-JADHAV,J.)

(NITIN B. SURYAWANSHI,J.)

sga