

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL**  
**NAGPUR BENCH NAGPUR**  
**ORIGINAL APPLICATION No. 121 of 2021 (S.B.)**

Gauravkumar Buddhabhagawan Bhagat,  
Aged about 30 years, Occ. Unemployed,  
R/o Behind Gram Panchayat, Allapalli,  
District Gadchiroli.

**Applicant.**

**Versus**

- 1) The State of Maharashtra,  
through its Secretary,  
Ministry of Forest, Mantralaya, Mumbai.
- 2) Chief Conservator of Forest,  
Vanbhavan, Civil Lines,  
Chandrapur.

**Respondents.**

---

**Shri A.R. Fule, Advocate for the applicant.**  
**Shri A.P. Potnis, learned P.O. for respondents.**

---

**Coram :- Hon'ble Shri Justice M.G. Giratkar,  
Vice Chairman.**

**Dated :- 18/07/2022.**

---

**JUDGMENT**

Heard Shri A.R. Fule, Id. counsel for the applicant and Shri A.P. Potnis, Id. P.O. for the respondents.

2. The learned counsel for applicant pointed out the impugned order dated 17/12/2020 in which the recommendation letters dated 28/10/2020 and 22/6/2020 are not considered. The learned counsel for applicant has submitted it is wrongly mentioned in

the impugned order that in the said recommendation / information, it was submitted that the mother of applicant is in permanent service and therefore the applicant is not required any appointment on compassionate ground.

3. There is no dispute that the father of applicant was permanent service in Forest Department. He died in harness on 26/7/2019. The applicant applied for employment on compassionate ground. The respondent no.2 passed the order dated 17/12/2020 recording the reason that the mother of applicant is in permanent service and therefore the applicant is not entitled for appointment on compassionate ground.

4. Heard learned P.O. Shri A.P. Potnis. He has submitted that the mother of applicant was in permanent service and therefore the application of the applicant is rejected.

5. It is pertinent to note that the copy of service book filed on record shows that the mother of applicant was working as अंगणवाडी पर्यवेक्षिका. It is not a permanent post. The honorarium is paid by the State of Maharashtra that is a meagre amount. The Certificate issued by Deputy Executive Officer, Zilla Parishad, Gadchiroli dated 15/06/2022 shows that the mother of applicant is already retired on 30/04/2022.

6. The various G.Rs. issued by the Government of Maharashtra related to the appointment on compassionate ground. All the G.Rs. are now combined in the Govt. G.R. dated 21/09/2017. No such procedure is prescribed as stated by respondent no.2. Moreover, the respondent no.2 has wrongly recorded the reason for rejection. In fact, the Deputy Conservator of Forests, Central Chanda Forest Division, Chandrapur informed the respondent no.2 vide letter dated 28/10/2020 recommending the name of applicant for appointing him on compassionate ground. The same letter was issued on 22/6/2020. These letters are wrongly referred by respondent no.2. The mother of applicant was not in permanent service whatever she was getting was a very meagre amount, only on that ground the right of the applicant cannot be rejected. The respondent no.2 wrongly recorded its reasons. Hence, the impugned order dated 17/12/2020 is liable to be quashed and set aside. Therefore, I pass the following order –

**ORDER**

- (i) The impugned communication / order dated 17/12/2020 issued by respondent no.2 is hereby quashed and set aside.
- (ii) The respondent no.2 is directed to consider the application of applicant dated 03/12/2019 (P-15) as per the Government policy and register his name in the seniority list of compassionate appointment

and provide him the appointment on compassionate ground, as per the rules.

(iii) No order as to costs.

**Dated** :- 18/07/2022.

\*dnk.

**(Justice M.G. Giratkar)  
Vice Chairman.**

I affirm that the contents of the PDF file order are word to word same as per original Judgment.

Name of Steno : D.N. Kadam

Court Name : Court of Hon'ble Vice Chairman.

Judgment signed on : 18/07/2022.

Uploaded on : 20/07/2022.

ok