

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

WRIT PETITION NO.707 OF 2016

Naseer Ahmed S/o Basheeruddin
Ambekar ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.S.S.Kazi, advocate for the petitioner.
Mr.A.P.Basarkar, A.G.P. for the State.

...

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

Date : 17.04.2017.

PER COURT :

1. Heard.

2. The claim for medical reimbursement
made by the petitioner is rejected.

3. The learned counsel submits that only

ground for rejection is that the certificate did not state the pain to be the acute abdominal pain. The learned counsel submits that the petitioner had acute abdominal pain, was admitted on 8.12.2014 and operated on 9.12.2014. The concerned Doctor has now given certificate stating that the same was acute abdominal pain. The said certificate is issued on 12.4.2017.

4. We have heard learned A.G.P. also.

5. The only ground on which the claim of the petitioner for medical reimbursement is rejected is that the certificate did not contain the statement that the petitioner suffered from acute abdominal pain. No doubt, the discharge card produced by the petitioner did not mention that the petitioner had suffered from acute abdominal pain. However, today a copy of the certificate issued by Doctor on 12.4.2017 states that the petitioner was suffering from acute abdominal pain. On 8.12.2014, the petitioner was admitted and operated on the next day.

6. Considering above, it would be appropriate for the Respondents to reconsider the case of the petitioner with regard to the claim for medical reimbursement. The petitioner may submit the subsequent certificate received by him afresh to the Respondents.

7. In light of the above, we pass the following order :

a) The petitioner shall submit additional certificate issued by the Doctor and may submit fresh proposal to the Respondent authority for claim of medical reimbursement. The authorities shall scan the said proposal afresh and decide about the entitlement of the petitioner for medical reimbursement. In doing so, the impugned order would not be an impediment.

b) The Writ Petition is accordingly disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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