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

WRIT PETITION NO. 3754 OF 2019

Anil Laxman Wadhe
Age: 54 years, Occu. Service
R/o Shriram Peth, Faijpur, Taluka Yaval,
District: Jalgaon

..PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary,
School Education & Sports Department
Mantralaya, Mumbai - 32
2. Education Officer (Secondary)
Zilla Parishad, Jalgaon
3. Superintendent of Pay and Provident Fund Unit,
Education Department,
Jalgaon
4. Municipal High School and Junior College,
Faizpur, Faizpur, Taluka Yaval,
District: Jalgaon
Through Headmaster
Shri Raghunath Lotu Agde
Age 53 years, Occu. Service
R/o Faizpur, Taluka Yawal,
District Jalgaon

5. Director of Education,
Maharashtra State, Pune

..RESPONDENTS

Mr S. S. Bora, Advocate for petitioner;
Mrs P. V. Diggikar, A.G.P. for respondents Nos.1, 2 & 5

**CORAM : PRASANNA B. VARALE
AND
NITIN W. SAMBRE, JJ.**

DATE : 20th March, 2019

ORAL ORDER:

Heard Mr Bora, learned Counsel appearing on behalf of the petitioner.

2. At the outset, Mr Bora orally prays for amendment to the petition by addition of the necessary party, namely, the Director of Education, Directorate of Education, Maharashtra State Pune. The oral prayer is allowed. Amendment be carried out forthwith.

3. As a limited grievance is raised in the petition, the petition is taken up for disposal at the admission stage.

4. Notice to respondent Nos. 1, 2 and added respondent No.5 returnable forthwith. Learned A.G.P. waives service of notice on behalf of respondent Nos. 1, 2 and 5.

5. In the earlier round the petitioner was before this Court in Writ Petition No. 12710 of 2017. The claim of the petitioner for reimbursement of medical expenses was rejected on the ground that he is an employee in the establishment of Municipal Council. The Division Bench of this Court at Nagpur, in view of the judgment in Writ Petition No. 162 of 2016, dated 30th August, 2016, disposed of the petition with directions to the respondent authorities to consider the claim, in view of the order of the Division Bench as well as the Government Resolution dated 20th February, 2009.

(3)

6. The proposal afresh was submitted to the Education Officer on 7th May, 2018. The Education Officer in turn forwarded the proposal to the Director of Education on 10th July, 2018, with a reference to the order of the Division Bench and sought guidance from the Director of Education. Submission of Mr Bora is, though communication was forwarded to the Director of Education by Education Officer in the month of July 2018, till date of filing of the petition, the petitioner could not receive any response either from the Education Officer or from the higher authorities. As such, the petitioner was left with no choice but to approach this Court.

7. The aforesaid being the fact situation, the petition is disposed of with directions to the Director of Education to take a decision on the proposal dated 10th July, 2018 as expeditiously as possible and not later than four weeks from the date of receipt of the order of this Court. Needless to state, the Director of Education to consider that there are orders of this Court as well as a Government Resolution on the issue of reimbursement of medical expenses as claimed by the petitioner.

With aforesaid directions/observations, the Writ Petition is disposed of.

(NITIN W. SAMBRE, J.)

(PRASANNA B. VARALE, J.)

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