

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

WRIT PETITION NO. 5758 OF 2018

Sadashiv Motiram Phuse

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri D. B. Bhange, Advocate for the Petitioner.

Shri A. R. Kale, A.G.P. for the Respondent No. 1.

Smt. V. A. Shinde (More), Advocate for the Respondent No. 2.

Shri R. I. Wakade, Advocate for the Respondent No. 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATE : 22ND APRIL, 2019.

FINAL ORDER :

. The petitioner seeks medical reimbursement on account of treatment to his wife for breast cancer. The proposal was submitted by the petitioner in the year 2016 with the Education Department. The Education Department had forwarded the said proposal to the Head Master under letter dated 30th July, 2016, received by the respondent No. 3 on 09th August, 2016. As yet the proposal has not been forwarded.

2. Mr. Wakade, the learned counsel submits that, the petitioner did not submit the proposal to the respondent No.

3/Head Master. If the petitioner submits all the documents to the Head Master, the Head Master would forward the proposal to the Education Department within a period of two weeks.

3. The petitioner claims reimbursement of amount. The petitioner would not gain anything by not submitting the documents, the Education Officer has also communicated the Head Master directing him to submit the bills to the office of the Education Officer. More than two and half years have lapsed, no steps are taken. The attitude of the respondent No. 3 needs to be deprecated. The respondent No. 3 ought to have forwarded the proposal by now. Even the Education Officer had given the copy of the proposal to the respondent No. 3.

4. The petitioner shall give the copies of the bills to the respondent No. 3 immediately and within a period of two (02) weeks from today. The respondent No. 3 shall forward the proposal to the Education Officer claiming reimbursement of the medical bills for the treatment of his wife. On receipt of the proposal, the Education Officer shall take decision upon it expeditiously and preferably within a period of four (04) weeks from the date of receipt of the proposal.

5. If the respondent No. 3 does not forward the proposal as directed above upon receipt of the documents from the petitioner,

then the respondent No. 3 will have to be severely dealt with.

6. In the light of the above, the writ petition is disposed of.
No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/April 19