

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

WRIT PETITION NO.749 OF 2017

NAZIR KHAN RAHIM KHAN AND OTHERS
VERSUS
MERAJ KHAN AHMAD KHAN AND OTHERS

...
Advocate for the Petitioners : Shri Pathan Hamzakhan I.

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CORAM: SMT. BHARATI H. DANGRE, J.

DATE :- 27th January, 2022

Per Court:

1. Heard the learned counsel for the petitioners, who has produced on record two medical certificates in support of his claim. The medical certificates are taken on record and marked as “X-1” and “X-2” for identification. Pertinent to note that the first medical certificate is dated 26.07.2009 where the doctor signing it states that the certificate bearer Nazeer Khan Rahim Khan was suffering from chronic disease and was advised to take complete bed rest during 25.02.2009 to 25.07.2009. Another certificate placed on record is issued by one Dr. Shaikh Akram, BUMS, Pune. He has certified on 25.05.2009 (there is overwriting in the year) that Nazir Khan Rahim Khan is suffering from intrinsic fever with jaundice and anemia and he states that he was advised three months rest from 25.02.2009 to 24.05.2009. The certificate was issued on 25.05.2009

i.e. after his rest period was over. Apparently, this certificate cannot be believed because he is not a doctor who has assessed his medical condition, nor does he state from when he was suffering from the said ailment. He only certified that he was advised rest from 25.02.2009 to 24.05.2009.

2. Both the medical certificates, placed on record, do not inspire confidence and the learned Judge has rightly recorded that these two certificates create doubt whether, the petitioner was really taking any treatment. As such, there is no reason to interfere in the impugned order. The Writ Petition is dismissed.

kps

(SMT. BHARATI H. DANGRE, J.)