



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5692 OF 2023

(Abhijit s/o Ramesh Gajbhiye and another Vs. Education Officer (Secondary), Zilla Parishad, Wardha and another)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. S. Moon, Advocate for Petitioner.
Mr. D. P. Thakare, Addl GP for Respondent No.1/State.

CORAM: ANIL S KILOR, J.

DATE: 7th SEPTEMBER, 2023.

For the monetary benefits claimed by the legal heirs/petitioners of Smt. Sunita Ramesh Gajbhiye who was working as Assistant Teacher in Muktabai Vidyalaya, Samudrapur rejected by the Education Officer on the ground that there is a dispute between the petitioners and father of respondent No.2. However, the learned counsel for the petitioners submits that the petitioners are possessing the heir-ship certificate and without giving any opportunity to the petitioners to produce the same, the request came to be rejected.

2. Considering the submission of the learned counsel for the petitioners, I am of the opinion that the petitioners and respondent No.2 shall get one opportunity to resolve the dispute by submitting necessary documents before the Education Officer accordingly the order dated 10.08.2023 is hereby set aside. The matter is remanded back

to the Education Officer (Secondary), Zilla Parishad, Wardha to decide the claim of the petitioners and respondent No.2 afresh after permitting them to produce necessary documents.

3. The Education Officer shall grant hearing to the petitioners and respondent No.2 and decide their claim in accordance with law.

4. The petitioners and respondent No.2 are directed to appear before the Education Officer (Secondary), Zilla Parishad, Wardha on 05.10.2023 at 11:00 a.m.

(ANIL S. KILOR, J.)