



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

WRIT PETITION NO. 6421 OF 2024

SUMITA NANDKUMAR SAGAR

VERSUS

**THE STATE OF MAHARASHTRA THROUGH TIS SECRETARY AND
OTHERS**

....

Mr. Suvidh S. Kulkarni, Advocate for Petitioner

Mr. B. M. Dhanure, AGP for Respondent – State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 01.07.2024

PER COURT :-

1. The Petitioner is the widow of an Assistant Teacher, who claims that her husband has died due to Covid and is entitled for an ex-gratia payment of Rs.50,00,000/- (Rupees Fifty Lakhs) by virtue of the Government Resolution, dated 29.05.2020.

2. We have considered the submissions of the learned Advocate for the Petitioner, for quite some time. We have gone through the Government Resolution dated 29.05.2020, which indicates that a person should be deployed on Covid duty as a

Covid warrior. He should be performing active duty for at least 14 days prior to the cause of death.

3. The Petitioner relies upon a certificate issued by the Tahsildar, dated 02.01.2023, to suggest that the Petitioner was working on the विधानसभा यादी भाग क्रमांक 188 चे मतदान केंद्रस्तरीय अधिकारी, The Headmaster has issued a certificate (undated), stating that the deceased was an employee of the Zilla Parishad Prashala from 29.05.2018 and he passed away due to Covid, on 23.10.2020. However, the truth is that the muster roll for the month of October-2020, produced by the Petitioner, clearly indicates a specific remark that he was allotted some work on the condition, "work from home".

4. The Government of Maharashtra, Finance Department, has set out in the Government Resolution dated 29.05.2020, that besides health care staff, a lot of other staff members like, District Administration, Police, Home Guards, Anganwadi Workers, Finance and Treasury, Food and Civil Supply, Water Supply and Sanitation and employees of various departments, were deputed for house to house survey of Covid patients. They were in active/live duty while combating Covid-19 pandemic. To stand by their families in the event

of any unfortunate loss of life, the State Government introduced a personal accident cover for Rs.50,00,000/- only, for the employees who were on active/live duty relating to survey, tracing, tracking, testing, prevention, treatment and other relief activities in the Covid pandemic. There is no provision for persons who were performing the work of preparing the Vidhan sabha Electoral list (as like the deceased) and more so, when the Petitioner was “working from home” in the month of October. Apparently, the deceased had got the infection while working from home.

5. In view of the above, we do not find any error committed by the authorities in refusing the claim of the Petitioner, vide order dated 12.01.2024.

6. **This Writ Petition is, therefore, dismissed.**

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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