



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

WRIT PETITION NO.2150 OF 2025

Sahil S/o Saroj Samundre, Thakkar Gram, Sweeper Colony, Nagpur

-VS-

Govt. of Maharashtra, Thr. Secretary, Urban Development Dept. Mantralaya, Mumbai and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and the Registrar's orders.

Court's or Judge's Orders.

Shri R. B. Khan, Advocate for petitioner.

Shri Nitin Autkar, Assistant Government Pleader for respondent No.1.

CORAM : NITIN W. SAMBRE AND MRS VRUSHALI V. JOSHI, JJ.

DATE : April 28, 2025

P. C.

1. Heard.

Leave granted so as to add Union of India, Family Welfare Department, New Delhi as respondent No.3. Amendment be carried out forthwith.

3. Learned Assistant Government Pleader appears for respondent Nos.1 and 2. We direct Shri Sourabh Choudhary, Panel lawyer for Government of India to waive notice for newly added respondent No.3- Union of India.

4. By consent, heard finally.

The petitioner is seeking compensation of Rs.50 lakhs pursuant to the policy floated by the respondent No.1-Government of Maharashtra as reflected in the Government Resolution dated 04/08/2021 (Annexure-D to the petition).

5. The petitioner is claiming to be the son of one Shri Saroj Tulsidas Samundre who was working as Class-IV (safai kamgar) employee with

the respondent No.2-Government Hospital. It appears that respondent No.2 recommended the case for grant of compensation as the death of Class-IV employee occurred while he was discharging official duty as health servant during the COVID period. The death certificate certifies that the death has occurred on 03/09/2020 and the respondent No.2 based on occurrence of death of the deceased employee viz. Saroj while discharging official duty during the COVID period, recommended the case to the respondent No.3. Similarly, the Medical Superintendent of respondent No.2 has certified that the death of Saroj, the deceased employee occurred while discharging official duty.

6. In that view of the matter, it was expected of the respondent Nos.1 and 3 to consider the claim of the petitioner and communicate the decision taken as regards the entitlement/claim of the petitioner for receiving compensation in view of the existing policy.

7. That being so, we direct the respondent Nos.1 and 3 to take the decision on the claim put forth by the petitioner for release of compensation amount in the wake of the death of Saroj Tulsidas Samundre who was in the employment of respondent No.2 as health worker while discharging official duty during the COVID period.

8. Let the decision taken in that regard be communicated by respondent Nos.1 and 3 to the petitioner in any case within a period of twelve weeks from today. In case if the respondent No.1 is not armed with any representation, this petition shall be treated as representation by both the Authorities.

The writ petition is partly allowed in aforesaid terms. No order as to costs.

(Mrs Vrushali V. Joshi, J.)

(Nitin W. Sambre, J.)