

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

WRIT PETITION NO. 4182 OF 2024

Shankar S/o Jagannath Gaur Vs. Nagpur Municipal Corporation and
another

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.T. Gwalwansh, Advocate for Petitioner
 Mr. J.B. Kasat, Advocate for Respondent No.1
 Mr. A.V. Palshikar, AGP for Respondent No.2

CORAM: AVINASH G. GHAROTE AND
ABHAY J. MANTRI, JJ.

DATED : 13th MARCH, 2025

1. The petition questions the denial of Covid compensation of Rs.50,00,000/- to the petitioner, who is the legal heir of deceased Mrs. Usha Gaur, who was working as Assistant Teacher with the Nagpur Municipal Corporation and was on Covid duty. The fact, that the wife of the petitioner was on Covid duty and has passed away on such duty is not disputed by Mr. Kasat, learned counsel for the respondent No.1, upon instructions. If that be so, the entitlement of the petitioner to receive the aforesaid amount on account of the Government Resolution dated 04.08.2021, would no longer in dispute. The respondent No. 1 has tendered across the bar reply dated 12.2.2025 in terms of which the only reason not to pay the aforesaid compensation is cited due to

the financial distress and a plea that the funds have been sought from the State.

2 Since the facts are not disputed that the wife of the petitioner has been passed away during the time when she was posted on Covid duty and that the petitioner on that count is entitled for the Covid compensation, the plea of financial distress cannot be a ground to deny said compensation to the petitioner, who is husband of deceased Mrs. Usha Gaur. We, therefore, allow the petition by directing the respondent No. 1 to pay Covid compensation to the tune of Rs.50,00,000/- (Rs. Fifty Lakhs) to the legal heirs of deceased employee Mrs. Usha Gaur, within a period of eight weeks from today. We, however, make it clear that the respondent No. 1 will be entitled to verify as to who are the legal heirs of deceased Mrs. Usha Gaur to their satisfaction so that there would be no contrary claims to the compensation in future.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)