



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

**CIVIL APPLICATION NO. 5015 OF 2026
IN WP/9335/2016**

Ratan Asaram Wagh .. Applicant

Versus

The State Of Maharashtra
Through Its Principal Secretary And Others .. Respondents

**WITH
WRIT PETITION NO. 9335 OF 2016**

Ratan Asaram Wagh .. Petitioner

Versus

The State Of Maharashtra
Through Its Principal Secretary And Others .. Respondents

Mr. Ashok D. Raut, Advocate for Applicant/Petitioner.
Mr. K. B. Jadhavar, AGP for Respondent-State.

**CORAM : KISHORE C. SANT AND
SUSHIL M. GHODESWAR, JJ.**

DATE : 28th APRIL, 2026.

PER COURT :-

CIVIL APPLICATION NO. 5015 OF 2026 :

1. Heard learned advocate for the applicant.
2. For the reasons stated in the application, the application stands allowed. The petition is taken up for hearing immediately.

WRIT PETITION NO. 9335 OF 2016 :

1. Heard learned advocate for the petitioner.
2. A prayer in this petition is to include the disease like liver Cirrhosis in the scheme of the Government for medical reimbursement or expenses be provided under such scheme. In the present case, the petitioner was suffering from disease liver Cirrhosis. The petitioner was diagnosed with Alcoholic liver disease child "C" status. He was required to undergo treatment of liver transplant. On undergoing surgery the petitioner applied on 16.04.2013 to the Education Officer for reimbursement of the expenses. The petitioner in his representation to the Education Officer (Secondary), Zilla Parishad, Aurangabad stated that the said disease is not included in the Government scheme. He submitted that, as a special case, the proposal be sent to the Government for sanction to the reimbursement of the expenses. The Education Officer vide communication dated 18.04.2013 informed to the petitioner that as per the Civil Surgeon's report the said disease is not included in any of the policies of the Government and rejected the said proposal.

3. The learned advocate for the petitioner vehemently argued that from time to time diseases are included for giving reimbursement. Therefore, the Government needs to be directed to include even the present disease in the list of the diseases covered under the policies for reimbursement.

4. The learned A.G.P submits that, it is for the Government to consider the causes of the disease and to include the diseases in the policies. Here the petitioner has suffered the disease which is not included in the policy of the Government and it is for this reason the representation is rightly rejected. He submits that, no fault can be found with the impugned communication. So far as prayer as regards inclusion of disease is concerned, he submits that, it is the policy matter of the Government. For the said purpose the Court need not issue writ under Article 226 of the Constitution. He thus prays for dismissal of the writ petition.

5. This Court heard the submissions of both the parties. Looking to the prayer it is clear that, the prayer is for direction to the Government to include the disease regarding Alcoholic liver disease child "C" status in the list of the diseases covered under the policies for reimbursement. Thus, this Court finds that, no

such direction can be issued. There is no merit in the writ petition. The writ petition deserves to be dismissed and the same is hereby dismissed. No order as to costs.

(SUSHIL M. GHODESWAR, J.)

(KISHORE C. SANT, J.)

P.S.B.