

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

WRIT PETITION NO. 9118 OF 2013

Madhukar Laxman Kothwade (Kothawale)

.. Petitioner

Versus

Indian Audit and Account Department and Others

.. Respondents

Shri N. L. Choudhari, Advocate for the Petitioner

Shri Vinod Joshi, Advocate for Respondent No. 1

Smt. S. A. Dhumal, A. G. P. for the Respondent Nos. 2 and 3

CORAM : S. V. GANGAPURWALA AND

V. K. JADHAV, JJ.

DATE : 11TH JUNE, 2015.

PER COURT :

1. Mr. Choudhari the learned counsel for the petitioner submits that, the Tribunal while dismissing the Original Application has not considered the relevant aspects of the matter as pointed out by the petitioner. The learned counsel submits that, advance of Rs.6520/- was taken in the year, 1989 from G. P. F. Every month the amount was deducted from the salary of the petitioner which is evident from the letter dated 30.09.2008. As such the amount was recovered by deductions from the salary.

The balance amount is required to be repaid. The respondent is liable to pay Rs. 36,084/- alongwith interest.

2. We have heard the learned A. G. P.

3. We have considered the judgment delivered by the Tribunal, the Tribunal has considered the deductions made and various advances advanced. Rs.6520/- was not the only amount of advance but there were other advances also. After considering the calculations made, the Tribunal found that the said figures stated by the respondent department appears to be correct.

4. In light of the above, no case for interference is made out. Writ Petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

sam/June. 15