

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****WRIT PETITION NO. 10526 OF 2014**

Dr. Marulkar V.S. & Anr.

....Petitioners.

Vs.

The State of Maharashtra & Anr.

....Respondents.

WITH**WRIT PETITION NO. 3787 OF 2015**

Shri R.R. Sapre & Ors.

....Petitioners.

Vs.

The State of Maharashtra & Anr.

....Respondents.

Mr. S.R. Ganbavale i/by Mr. Sangramsinh Yadav for the Petitioners in both the Petitions.

Mr. V.N. Sagare, AGP for Respondent Nos. 1 and 2 in both the Petitions.

CORAM : B.R. GAVAI AND**RIYAZ I. CHAGLA, JJ.****DATE : 28 JUNE 2017.****P.C.:-**

For the reasons recorded separately, Rule made absolute.

2 It is held and declared that the recovery of the amount paid to the Petitioner on account of stagnation increment is bad in law

and therefore, quashed and set aside.

3 The amount recovered from the pension of the Petitioners is directed to be refunded to the Petitioners within a period of three months from today, along with interest @ 12% per annum thereon.

(RIYAZ I. CHAGLA J.)

(B.R. GAVAI J.)