

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

WRIT PETITION NO. 8587 OF 2017

Prabhavati Harishchandra Barlekar .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri M. S. Deshmukh, Advocate h/f Shri U. L. Momale, Advocate
for the Petitioner.

Shri A. V. Deshmukh, A.G.P. for Respondent Nos. 1 to 3.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.**

DATE : 02ND APRIL, 2018.

FINAL ORDER :

. The learned Assistant Government Pleader raises a preliminary objection that, the petitioner has got remedy before the Regional Deputy Commissioner, Social Welfare Latur.

2. In the light of that, though Mr. Deshmukh, the learned counsel for the petitioner seeks to make submissions on merits of the matter, we are not inclined to consider the same. The petitioner may avail alternate remedy. In case the petitioner approaches Regional Deputy Commissioner, Social Welfare, Latur within a period of three (03) weeks from today, the same shall be considered within limitation. The Regional Deputy

Commissioner, Social Welfare, Latur shall on receipt of the petition/application from the petitioner, decide the same expeditiously and preferably within a period of four (04) months from the date of receipt of the application. Till then recovery pursuant to the impugned communication shall not be claimed. The parties would be governed by the order that would be passed by the Regional Deputy Commissioner, Social Welfare, Latur.

3. In case, the petitioner is otherwise eligible, then the salary may not be withheld on the ground that excess amount was paid to the petitioner.

4. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]