

Sachin s/o Ganesh Mohare Petitioner

Versus

The State of Maharashtra & others

Respondents

Mr.G.N.Kulkarni (Mardikar), advocate for the petitioner.
Mr.P.K.Lakhotiya, A.G.P. for Respondent No.1.
Mr.R.K.Ingole, advocate for Respondent No.2.

**CORAM : R.M.BORDE AND
K.K.SONAWANE, JJ.
DATE : 28th February, 2018.**

P.C. :

1 The petitioners have already tendered a representation to the Chief Executive Officer, on 05.05.2015 requesting the Chief Executive Officer not to deduct the amount paid in excess of entitlement of the petitioners out of the amount payable to them towards pensionary benefits.

2 According to the petitioners, since they are Group "C employees and that they have not persuaded the respondents by making misrepresentation to pay excess amount while in employment, said amount paid in excess while petitioners were in employment, is not liable to be deducted in view of the judgment of the Hon'ble Supreme Court in the matter of **State of Punjab & others Vs. Rafiq Masih (White Washer) & others**, (2015) 4 SCC 334.

3 The Chief Executive Officer shall consider the contentions of the petitioners in the light of the judgment, referred to above, and take appropriate decision within a period of six

weeks from today. If the amount has already been deducted, the Chief Executive Officer may also consider the request of the petitioners for refund of the said amount.

4 With the aforesaid directions, writ petitions stand disposed of.

K.K.SONAWANE
JUDGE

R.M.BORDE
JUDGE

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