

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

999 WRIT PETITION NO. 10872 OF 2018

PREMILA MADHAVRAO BAIRAGI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Mr. D.R.Irale Patil, Advocate for Petitioner.
Mr. P.S.Patil, AGP for Respondent-State.
Mr. S.B.Gute, Advocate for Respondent Nos.2 to 4.

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**CORAM : R.M.BORDE AND
MANGESH S. PATIL, JJ.**

DATE : 28.09.2018

PER COURT :-

1. Heard learned Counsel for the petitioner, learned AGP for Respondent No.1 and the learned counsel for Respondent Nos.2 and 3.
2. The learned counsel for the petitioner submits that the petitioner is similarly situated as that of the petitioner in Writ Petition No.4616 of 2016 and 4626 of 2016, decided by this Court under the Judgment and order dated 22.12.2017.
3. The learned counsel for the respondents, on going through the Judgment, accepts that the present petitioner is similarly situated. The respondents were same in Writ

Petition Nos.4616 and 4624 of 2016.

4. For the reasons stated in the said Judgment, the impugned order passed by Respondent Nos.2 and 3, claiming recovery is quashed and set aside. The respondents are directed to repay the amount to the petitioner, which has been recovered from her within a period of six months from today.

5. The respondents are at liberty to re-fix the pay of the petitioner after giving opportunity to the petitioner.

6. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(R.M.BORDE, J.)

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vmk/-