

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

222 WRIT PETITION NO.7185 OF 2019

**SANJAY BABULAL PATIL THROUGH LRS SAROJ SANJAY PATIL AND
OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. Bolkar Yogesh B.
AGP for Respondents No. 1 & 2 : Mr. S.B. Pulkundwar.
Advocate for Respondents No. 3 to 7 : Mr. M.S. Sonawane.

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 13/08/2019

PER COURT :

1. The learned counsel for the petitioners and the learned counsel for the Zilla Parishad, Jalgaon are *ad idem* that the recovery had been inadvertently made from the petitioner, though the Government Resolution dated 28.02.2019 prohibited recovery.
2. In view of the aforesaid that the parties are *ad idem*, the impugned recovery is quashed and set aside. The respondents shall refund the amount, if recovered from the petitioners, within six months, from today.
3. The writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)
mkd

(S. V. GANGAPURWALA, J.)