

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO.9926 OF 2019

ASHOK ANANDA SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS
AND

914 WRIT PETITION NO.9927 OF 2019

BHIMRAO BOMATU SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. Bolkar Yogesh B
AGP for Respondents No.1 & 2:Mr. N.T. Bhagat & Mr. S.P.Tiwari
Advocate for Respondents No.3 & 4 :Mr. M.S. Sonawane
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CORAM : **RAVINDRA V. GHUGE, J.**

Date: August 8th, 2019
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PER COURT :-

1 In both these identical matters, the learned Advocate for the petitioners, submits that, this Court has delivered several orders, in the school uniform scam cases. One such identical order is placed on record in the petition paper book dated 29.10.2018. Both these petitioners have retired from service and the same order will have to be passed in their favour.

2 The learned Advocate, appearing on behalf of the Zilla Parishad confirms that, both these petitioners have retired and therefore, the same order can be made applicable.

3 In view of the above, it needs to be recorded that, these petitioners who have retired from service, would now suffer the punishment of stoppage of one increment, without cumulative

effect for one year. The amounts, that have been deducted by the employer, from their salary/retiral benefits, by treating the punishment to be stoppage of one increment, with cumulative effect for one year, will now be returned by the Zilla Parishad, only to the extent of the excess amounts, taking into account, the modified punishment, within six weeks from today.

4 In view of above, these writ petitions are partly allowed as under:-

- (a) The impugned orders are converted into the order of punishment in the nature of stoppage of one increment for one year, simplicitor.
- (b) Consequentially, the Respondent/Zilla Parishad shall calculate the amounts, which are to be recovered towards the fulfillment of the above stated punishment and shall refund the excess amounts to each of these petitioners, within six weeks from today.
- (c) Since both these petitioners have retired from service and their pensionary/retiral benefits have been calculated by virtue of the order of punishment, which is now modified, that the Respondent/Zilla Parishad would now re-calculate their retiral/pensionary benefits and take effective steps to process the papers within TWELVE WEEKS from today.

(RAVINDRA V. GHUGE, J)