IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.15297 OF 2019
WITH WP/15298/2019 WITH WP/15299/2019 WITH
WP/15300/2019 WITH WP/15301/2019 WITH WP/15302/2019
WITH WP/15305/2019 WITH WP/15306/2019 WITH
WP/15307/2019 WITH WP/15308/2019 WITH WP/15309/2019
WITH WP/15310/2019 WITH WP/15311/2019 WITH
WP/15312/2019 WITH WP/15313/2019 WITH WP/15314/2019
WITH WP/15315/2019 WITH WP/15316/2019 WITH
WP/15317/2019 WITH WP/15318/2019 WITH WP/15319/2019
WITH WP/15320/2019 WITH WP/15321/2019 WITH
WP/15322/2019 WITH WP/15323/2019 WITH WP/15324/2019

MUKESH BHAGWAN PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.B.Sontakke, Advocate for the petitioners.
Mr.S.W.Munde, AGP for respondent Nos. 1 and 3.
Mr.M.S.Sonawane, Advocate for respondent No.2.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 17/12/2019

PER COURT :

1. I have considered the submissions of the learned Advocates for the respective sides and the learned AGP on behalf of respondent Nos. 1 and 3.

2. The learned AGP points out that this Court has dealt with about 250 identical matters and various orders have been passed on

26/07/2018, 19/08/2018 and 06/12/2018. This Court has interfered with the order of punishment only to the extent of the permanent stoppage of one increment and has converted the punishment into stoppage of one increment for one year without cumulative effect. He submits that the same order needs to be passed in these matters.

3. The learned Advocate for the petitioners submits that these petitions can be segregated into 2 groups. One group of petitioners have already retired from employment and this Court has delivered orders in such cases, one amongst them being the order dated 09/08/2018. Following are the petitions and the names of the petitioners who have retired from employment :-

907.3	WP/15314/19	Supadu Chindu Sonar
907.5	WP/15316/19	Shalini Shrikant Bhole
907.6	WP/15317/19	Kadu Abbas Dalal
907.8	WP/15319/19	Shaila Deepak Shukla
907.10	WP/15321/19	Sadashiv Harchand Kakde
907.11	WP/15322/19	Bhagwat Pralhad Mahajan
907.12	WP/15323/19	Balmukund Hari Idhate
907.16	WP/15299/19	Pratibha Prabhakar Ghaisas
907.24	WP/15309/19	Manisha Suresh Wadhe
907.26	WP/15314/19	Vimal Waman Mali

4. In view of the above, all these petitions are partly allowed as

under :-

[a] The impugned orders awarding punishment of permanent stoppage of one increment are converted into a punishment of stoppage of one increment for one year, simplicitor.

[b] Those petitioners who have retired from service and are receiving their pensionary benefits, shall be considered by the Zilla Parishad for recalculating their pensionary/retiral benefits by virtue of the modified order of punishment and effective steps to process their revised pension papers, shall be taken within 12 weeks from today.

[c] Consequentially, the Zilla Parishad shall recalculate the amounts deducted after the modified punishment and refund such excess amounts to all the petitioners within 12 weeks from today.

(Ravindra V.Ghuge, J.)