

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

929 WRIT PETITION NO.12816 OF 2019
WITH WRIT PETITION NO.12817/2019
WITH WRIT PETITION NO.12818/2019
WITH WRIT PETITION NO.12819/2019
WITH WRIT PETITION NO.12820/2019
WITH WRIT PETITION NO.12821/2019
WITH WRIT PETITION NO.12822/2019
WITH WRIT PETITION NO.12823/2019
WITH WRIT PETITION NO.12824/2019
WITH WRIT PETITION NO.12825/2019
WITH WRIT PETITION NO.12826/2019
WITH WRIT PETITION NO.12827/2019

KESHAV DHANU SURWADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner :Mr Patil Prakashsing B.
Addl.GP for Respondents State: Mrs M A Deshpande

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 15th October, 2019

ORDER:

1. We have heard learned Advocate for the petitioners and learned Additional G.P.

2. The objection of the learned Addl.G.P. of alternate remedy was considered by this Court while delivering judgment in Writ Petition No. 2344/2019 dated 19.03.2019.

3. On merits, it is accepted by the learned counsel for the petitioners and learned Additional Government

Pleader that the petitioners stand on the same premise as the petitioners in writ petition No. 2344/2019 and Writ Petition No. 10752/2019 with connected writ petitions.

4. In light of that and for the reasons recorded in judgment in Writ Petition No. 2344/2019 and Writ Petition No.2345/2019 dated 19.03.2019, we follow the same course.

5. In the judgment referred to above, the Division Bench of this Court had allowed the writ petitions and directed to refund of the amount alongwith the interest at the rate of 10% per annum. The Division bench of this Court of this Court in the said writ petitions passed the following order:

"In that view of the matter, all these writ petitions stands allowed. The excess amount, which is deducted from the amount of retirement dues payable to the petitioners in the form of gratuity, be refunded to the respective petitioners along with interest @ 10% p.a. from the date the amount was recovered. The said refund be made within a period of six months."

6. In light of above, the present writ petitions are also disposed of in terms of the order passed in Writ Petition Nos.2344 and 2345/2019 dated 19.03.2019.

7. The respondents shall refund the excess amount deducted from the amount of gratuity along with interest at the rate of 10% per annum from the date the amount was recovered. The payment shall be made within a period of six months.

8. Writ petitions are disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC