

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

WRIT PETITION NO. 13673 OF 2018

Shamla Shamrao Tambgade

...Petitioner

Versus

The Chief Executive Officer,
Zilla Parishad, Aurangabad and Ors.

...Respondents

Mr. D.R. Irale Patil, Advocate for Petitioner

Mr. S.B. Ghute, Advocate for Respondent Nos. 1 to 3

**CORAM : S.V. GANGAPURWALA AND
A.M. DHAVALA, JJ.**

DATE: 7th JANUARY, 2019

PER COURT

1. Heard learned Counsel for the petitioner and learned Counsel for respondent Nos. 1 to 3.

2. The learned Counsel for the petitioner submits that the petitioner is similarly situated as that of the petitioner in Writ Petition Nos. 4616 of 2016 and 4624 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 Petitions No. 4616 of 2016 and 4624 of 2016.

4. For the reasons stated in the said judgment, the impugned order passed by respondent Nos. 1 to 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.

(A.M. DHAVAL, J.) (S.V. GANGAPURWALA, J.)

mta