

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

WRIT PETITION NO. 14015 OF 2018

Popat Pundlikrao Mohite

.... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

.....

Mr D. R. Irale Patil, Advocate for the petitioner

Mr S. K. Tambe, AGP for respondent/State

Mr S. B. Ghute, Advocate for respondents No. 2 to 4

.....

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 21ST JANUARY, 2019

ORAL ORDER:

. Heard learned Counsel for the petitioner, learned A.G.P. for respondents No.1 and learned Counsel for respondents Nos.2 to 4.

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, accept 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.2 and 3 claiming recovery is quashed and set aside. The respondents are directed to repay the amount to the petitioner which has been recovered from him, 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. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde